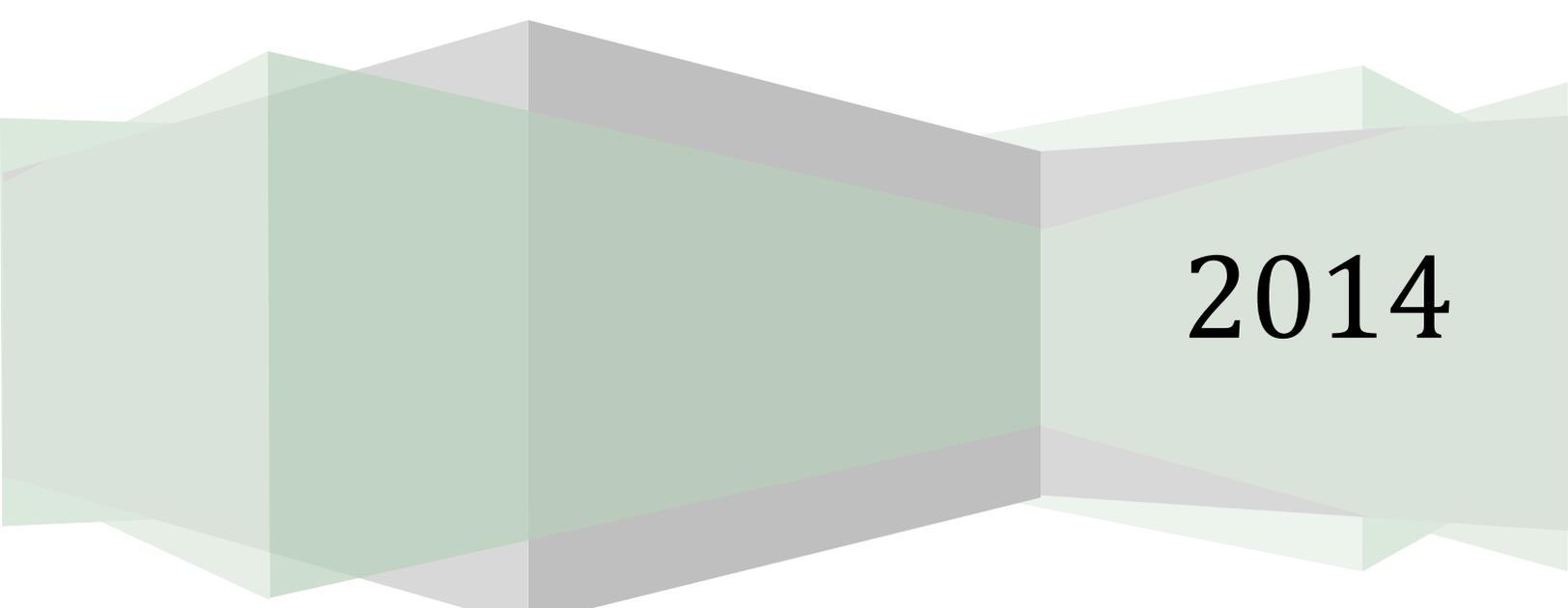


General Council of Winnipeg Community Centres

Community Centres Accountability Manual

**A Guide to the Successful Operation of
Winnipeg's Community Centres**



2014

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1.0 Introduction

Welcome to the 2014 edition of the Community Centre Accountability Manual – a guide to assist volunteers and staff in the day to day operations of their Community Centre. Should any of the contents require clarification, the General Council of Winnipeg Community Centres (GCWCC) will be happy to assist you!

The role of the Community Centre volunteer has evolved considerably over the past several years. Community Centres face immense competition for both human and financial resources, while funders are demanding improved efficiency and greater accountability for the funds provided. These challenges, and the need to establish operational priorities, make accountability and effective management of the Community Centres critical.

Community Centre facilities and grounds are owned by the City of Winnipeg and managed by volunteer Boards. Although the Community Centre volunteers are autonomous in the management of the Centre, there are certain accountability measures that must be adhered to by the Board of Directors. The **2012 Universal Funding Formula Responsibilities Document**, included in this manual, is an excellent reference.

Note: We have made every effort to include as much information as possible to ensure that your accountability tasks are clearly outlined; however, if further clarification is needed, please contact the individual source or GCWCC.



*As the ultimate authority
for their organization,
Community Centre Boards
are responsible for the
purpose and direction of
their organization and are
accountable for their
decisions.*

2.0 Partnership Responsibilities

Community Centres have a direct relationship with GCWCC, the City of Winnipeg, their District Community Centres, and their community members. The following will describe the roles and responsibilities of each.

General Council of Winnipeg Community Centres (GCWCC)

In 1971, when the autonomous municipalities and the City of Winnipeg were amalgamated, the General Council of Winnipeg Community Centres (GCWCC) was formed to provide a central council where representatives from all Community Centres could meet to exchange ideas.

GCWCC is a volunteer Board comprised of an elected Executive, an appointee from each of the five Community Centre districts, a Hockey Winnipeg representative, and up to three City-appointed representatives. The Board is supported by an individual from the City of Winnipeg Community Services Dept (non-voting) and the GCWCC Executive Director (non-voting).

The day-to-day operations of GCWCC are supported by four staff, including the Executive Director, two administrative assistants, and a Facility/Program Coordinator.

Elections take place at the Annual General Meeting, held in April of each year. The voting membership is comprised of all City of Winnipeg Community Centres funded under the Universal Funding Formula (UFF*).

***UFF: Community Centres receive an annual operating grant from the City of Winnipeg based on their heated square footage and population.**

The ongoing responsibilities of GCWCC are:

- To provide a central body where all District Community Centre Board Representatives and City of Winnipeg Representatives can meet monthly to discuss operational procedures, policy and programming issues
- To network and partner with other service providers regarding the delivery of recreation and leisure services at the community level.
- To coordinate the Community Centre Volunteers' Provincial Child Abuse Registry Checks (Note: this is a free service for volunteers).
- To administer the four municipal grants that are available to the City of Winnipeg Community Centres (Athletic Field Sweat Equity, Janitorial Program, Programming, Program Registration Fee Subsidy)

- To administer provincial funding available to the City of Winnipeg Community Centres for the Program Registration Fee Subsidy and the Provincial Capital Grant.
- To coordinate the City of Winnipeg Community Centre Renovation grant.

Grant applications are available at www.gcwcc.mb.ca

The City of Winnipeg Community Services Department

The City of Winnipeg is mandated to ensure the availability and accessibility of parks, open space, recreation programs and recreations services to the public. Community Centres are vital components of active, healthy neighbourhoods and are a key element in recreation service delivery. The Community Services Department enjoys a cooperative working relationship with the General Council of Winnipeg Community Centres and community centre volunteers in the delivery and recreation and leisure services. As partners, we share a common goal to plan, initiate and conduct a broad range of activities and available facilities, provision of leadership and the promotion of recreation opportunities to the community.

The key roles of the City of Winnipeg (various departments) in this partnership include:

- Provide city-owned facilities and grounds for Community Centre activities
- Provide operating funds based on the Universal Funding Formula for Community Centres.
- Provide insurance coverage including Property, Volunteer Accident and Volunteer Liability.
- Record and register current Community Centre inventory lists
- Monitor the administration of public funds and facilities
- Provide staff support in administrative areas
- Provide guidance and support regarding the development/maintenance of Community Centre facilities/grounds.
- Provide maintenance functions as identified under the Universal Funding Formula Responsibilities Document.
- Provide support and communication through participation at monthly meetings of both GCWCC and the District Community Centres Boards.
- Provide assistance in accessing schools and other community facilities.
- Provide tax deductible receipts on behalf of the Community Centres for all fund raising projects and charitable donations.

- Serve as liaison between Community Centres and all other civic departments.

District Community Centres Board (CCB)

Objectives:

- To provide a central body to serve as a resource and a voice for all the Community Centres in the affiliated area.
- To provide an opportunity for Community Centres to bring to the attention of the Board, specific issues, concerns and/or problems affecting their particular organization.
- To assist Community Centres in the planning, development and promotion of leisure programs and services when required.

Responsibilities:

- Provide a forum for discussion and the sharing of experiences, coordination of issues related to finances, facilities and programs of member Community Centres.
- Assist in the planning, development and promotion of community recreation.
- Provide the opportunity for individuals or delegations to appear before the representatives of Community Centres to speak on specific issues related to the objectives of the Board.
- Provide a representative to the GCWCC Board.

Community Centres

Responsibility to its Membership:

The purpose of the Community Centre is to provide a broad range of recreational and leisure activities for persons of all ages residing within the Centres designated boundary area, through the management and operation of the Community Centre facility and grounds.

Objectives:

- Exist as an official body, which is accountable to the City, GCWCC and the Community for whom the services are being provided
- Operate in accordance with the Community Centre constitution currently on file with the City and GCWCC.
- The control, care and maintenance of the facility and grounds.
- Plan and implement programs for the benefit of all its members.
- Organize and manage the operation of the Centre.
- Communicate with the general membership.

Responsibility to the City of Winnipeg:

The following requirements must be adhered to for Community Centres to qualify for their operating grant allocation:

1. Annual Financial Review Statement

A reviewed financial statement is to be submitted to the City of Winnipeg within 120 days following the Centre's fiscal year end. The statement must be prepared by a Chartered Accountant, Certified General Accountant, or Certified Management Accountant.

2. Monthly Financial Report

Community Centres are to submit the following information to their area Liaison on a monthly basis (generally at the CCB meeting):

- Copy of the most recent monthly financial statement showing a complete breakdown of all revenues and expenses.
- Copy of the corresponding bank statements.
- Copy of the general ledger for that specific month
- ***See Appendix for the Community Centre Monthly Requirements Checklist***

This information is to be submitted after it has been reviewed and approved by the Centre's Board of Directors. The information must be signed off accordingly by two members of the Centre's Executive, indicating the date the information was approved by the Board.

3. Volunteer Report

In order to be eligible for liability coverage for volunteers, Community Centres must provide an annual volunteer report to the City of Winnipeg no later than November 30th. An electronic template of the report is provided by the Community Centre liaison.

4. Program Reports

Community Centres are to provide updated program reports (profiles) to GCWCC twice per year, May 30 and Sept. 30. GCWCC, in turn, forwards a copy of

the reports to the City. GCWCC provides the templates to the Community Centres. The Program Profiles are posted on the GCWCC website.

5. Inventory Lists

For insurance purposes, Community Centres are to submit their current inventory list to the City of Winnipeg no later than November 30th of each year. Additions/deletions should be submitted to the City as they occur. An electronic template of the report is provided by the Community Centre liaison.

6. Board of Directors List

The names, positions, addresses, e-mail addresses and phone numbers of the Board of Directors are to be submitted to the City of Winnipeg within 30 days following the Annual General Meeting.

7. Annual General Meeting (AGM)

The AGM is to be held no later than 120 days after the Community Centre's fiscal year end. Minutes from the AGM shall be forwarded to the City within 30 days of the meeting.

8. Constitution

The Constitution is to be reviewed on an annual basis. A copy of the constitution (signed and dated) is to be submitted to the City within 30 days following the AGM.

9. Incorporation

Community Centres must file an annual return with the Companies Office (1010-405 Broadway, Winnipeg, MB, R3C 3L6). The foremost advantage of incorporation is the limited liability which it confers upon its members with respect to the debts of the corporation. Proof of incorporation is a requirement of most grants and is required for all legal funding agreements with the City of Winnipeg. Corporate status is monitored by GCWCC. GCWCC notifies the City of Winnipeg if a Community Centre is in default.

Other Responsibilities to the City

Maintenance Accountability

To ensure the City of Winnipeg and the Community Centres are meeting their maintenance responsibilities, a facility and grounds site inspection will be done annually. A date and time will be scheduled with representatives from the Community Centre and the City of Winnipeg to meet on site for the inspection.

Where an action is required by either the City or the Community Centre, an agreed upon time frame for completion will be established. Written copies of the inspection will be forwarded to the Community Centres along with completion dates.

2.1 UFF Responsibilities Document

The following document serves as a checklist for both Community Centre and City responsibilities related to administrative, financial, programming and maintenance responsibilities. As per Council directive, this document along with the Universal Funding Formula (UFF) is reviewed every five years.

Please see Appendices for additional information on:

- ***Community Centre Herbicide Use Procedure***
- ***Maintenance Standards for Knock-down Rinks***
- ***Maintenance Standards for Ball Diamonds***
- ***Maintenance Standards for Soccer/Football Fields***
- ***Parks and Open Spaces- Materials and Supplies Guideline***

2012

**UNIVERSAL FUNDING FORMULA
RESPONSIBILITIES**

General Council of Winnipeg
Community Centres

FUNDING RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Funding Requirements:</p> <p>Community Centres must adhere to the following requirements (*) to qualify for the full amount of any grant allocations.</p> <p>Please refer to the GCWCC Accountability Manual for further information.</p>	<p>Community Centre volunteers and their employees are entrusted with the day to day management and operation of the Centre including control, care and maintenance of the facilities and grounds.</p>	<p>Responsible to support the operation and maintenance of the Community Centre through the provision of an annual operating grant.</p> <p>If the funding responsibilities and timelines as outlined below are not met by the Community Centre, the release of the UFF operating grant may be delayed until such time the conditions have been met.</p> <p>Any issues that cannot be resolved by the City and Community Centre resulting from the Responsibilities Document will be referred to the Dispute Resolution Process.</p>
<p>*Incorporation</p>	<p>Exist as an incorporated body and provide the City of Winnipeg a copy of the Annual Return to the Corporations Branch, Department of Consumer and Corporate Affairs.</p>	<p>In conjunction with the GCWCC, will review Community Centre incorporation status annually and will keep on file with Community Centre records.</p>

FUNDING RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
*Monthly Financial Statements	<p>The Community Centre is to ensure they meet or exceed the minimum standard of financial accountability as described in the standardized financial reporting section.</p> <p>Submit a copy of the Centre's Board approved monthly financial statements within 30 days following the monthly meeting.</p>	<p>Review and file financial statements prior to the release of UFF payments and provide necessary direction.</p> <p>Keep the monthly financial statements on file.</p>
*Annual Financial Statements	<p>Submit annually to the City a financial statement that has been audited and/or reviewed by a Chartered Accountant (CA), Certified General Accountant (CGA), or a Certified Management Accountant (CMA), and presented to the Board within 120 days of the year end fiscal date.</p>	<p>Review annual financial statements prior to the release of UFF payments and provide necessary direction. Reviews of annual statements will be done within 45 days of receiving annual statements from the Community Centre.</p> <p>A written summary of the review will be provided to the Community Centre.</p> <p>Keep the audited or reviewed annual financial statement on file.</p> <p>If the Centre submits late, then the review and release of the operating grant will be proportionately delayed.</p>
*Liability Coverage for Volunteers	<p>To provide/submit annually the number of volunteers, the programs they are involved in, position and number of volunteer hours to the City of Winnipeg by November 30 of each calendar year, in a format standardized by the City.</p>	<p>Will provide a standardized reporting format to Community Centres.</p> <p>To include insurance coverage to volunteers under the City of Winnipeg policy based upon the information provided by Community Centres each year.</p>

FUNDING RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
*Inventory Lists	<p>Provide the City with an updated annual inventory list in a format standardized by the City by November 30 of each year to ensure adequate insurance coverage.</p> <p>Submit additions and/or deletions to this list on an ongoing basis to ensure insurance coverage. Note: Significant purchases in excess of \$1,000 should be submitted immediately.</p>	<p>Will provide a standardized format to Community Centres.</p> <p>Record, register and include Community Centre current inventory lists in the City's annual insurance policy.</p>
*Programming Reports	<p>Provide to the City and GCWCC an updated Summer and Fall/Winter/Spring program report which identifies all programming taking place at the centre on an annual basis as follows: Summer (July-Aug) by May 30th and Fall/Winter/Spring (Sept-Jun) by September 30th.</p>	<p>Provide Centre with the previous year's programming report and standardized format.</p> <p>In conjunction with GCWCC, review and evaluate reports. See Programming Responsibilities for further details.</p>
*Board of Directors List	<p>Submit a current list of executive and board members to the City and GCWCC annually within 30 days after the conclusion of the Annual General Meeting.</p>	<p>Will keep on file with Community Centre records.</p>
*Constitution & By-Laws	<p>On an annual basis, ensure that a copy of the current constitution and by-laws (signed and dated) is submitted to the City within 30 days following the Annual General Meeting and that it is consistent with the Standardized Community Centre Constitution as prepared by the City and GCWCC.</p>	<p>Will keep a copy of the centre's constitution and by-laws on file.</p> <p>In partnership with GCWCC, provide Centres with assistance (resource, interpretation) regarding constitutional matters.</p>

FUNDING RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
*Annual General Meeting	<p>Conduct an Annual General Meeting (AGM) for the purposes of reporting the year's financial activities and the election of directors and officers.</p> <p>Submit the recorded minutes to the City within 30 days following the AGM.</p>	<p>Upon request, attend Annual General Meetings. Provide assistance and direction where needed.</p>
*Maintenance Accountability	<p>Ensure that there is an annual on-site meeting held between the City of Winnipeg and the Community Centre to conduct a facility and grounds inspection.</p> <p>See Building Maintenance Responsibilities for further details.</p>	<p>Written copies of the inspection will be forwarded to the Community Centres along with completion dates.</p> <p>See Building Maintenance Responsibilities for further details.</p>

ADMINISTRATION RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Provincial Civic Charities Permit and/or Manitoba Gaming Control Permits	<p>Annually obtain necessary provincial permits and licenses for raffles, lotteries and other fundraising events conducted by the Centre.</p> <p>Maintain records of fundraising expenditures and revenues for the purpose of reporting to the Civic Charities Bureau.</p>	
Civic Charities (Tax Deductible Receipts)	<p>Maintain a list of tax deductible contributions; submit lists and monies to the City for tax receipt processing as per City of Winnipeg Reporting Guidelines.</p> <p>Previous year reports due to the City (Liaison Officer) no later than February 15th of each calendar year.</p>	Provide and mail tax deductible receipts on behalf of Community Centres for applicable fund raising projects and charitable donations. Tax receipts for the previous year will be mailed by February 28 th .
Insurance and Claims	<p>Immediately provide to the City all necessary information regarding personal/bodily injury or property damage.</p> <p>For any major incidents related to the building, Contact the City for technical assistance.</p>	<p>Provide insurance coverage including property, accident and liability insurance as per Insurance and Claims requirements.</p> <p>Prepare and forward to claims branch on behalf of the Community Centre, all personal/bodily injury or property damage and final repair reports. Ensure all appropriate information has been obtained prior to filing with Claims Branch.</p>
Third Party Liability Insurance (Rental Agreements)	<p>Ensure all third party users of the Centre complete a Facility Use Agreement and obtain liability insurance as required by the City. Submit a copy of the agreement and proof of insurance to the City for finalization.</p>	<p>Finalize Facility Use Agreement for third party users of Community Centres.</p> <p>Ensure appropriate liability insurance is in place.</p>

ADMINISTRATION RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Permits	Obtain and maintain the necessary permits related to operation, e.g. alarms, canteen operation, special events, fireworks, upgrades, construction, etc.	Educate and inform Community Centres of relevant permit requirements and contacts. Assist as required in the permit process.
Development Projects	As per the District Planning process in accordance with the RLLAF Policy, work in cooperation with GCWCC on all development and/or renovation projects (capital upgrading, repair, expansion and replacement projects). Obtain approval from the City before hiring a project consultant and/or contractor. Prepare funding reports as necessary.	Provide technical advisory, consultation for Community Centre initiated upgrading, expansion projects. Provide Centres with rationale for those developments that cannot be endorsed. Approval of project scope prior to application for building permit. Assist with planning, funding and execution, as required. Ensure additional operating funds associated with approved expansions are identified.
Staff	Hire, orientate, train, supervise, pay and provide benefits as required by law for employees of the centre.	
Volunteer Development	Recruit, provide training and supervise volunteers.	In cooperation with the GCWCC provide orientation sessions for Community Centres regarding City of Winnipeg bylaws, policies, procedures and the laws and regulations for Federal, Provincial and Municipal Governments.
Relationship with other Boards	Maintain an active membership on the District Community Centres Board. Maintain an active membership with GCWCC.	Provide support and foster communication by appointing a staff representative to each District Community Centres Board and the GCWCC.

PROGRAM RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Program Planning and Delivery</p>	<p>The purpose of a Community Centre is to provide a range of recreational and leisure activities for the entire community through the management and operation of the Community Centre facilities and grounds.</p> <p>Programming is defined as supervised, regularly scheduled activities, whether structured or non-structured, that are open to the community.</p> <p>Programs may be delivered by the Community Centre, by partners or by third party groups, providing the programs are open to the community.</p> <p>Upon availability, the Community Centre shall provide space at no charge to City sponsored programs, providing no additional costs are incurred by the Community Centre. City programming must not compete with existing community centre programs. Facilities must be made available as polling stations for Civic, Provincial, and Federal elections (not campaign offices).</p>	<p>As required, the City and GCWCC will assist Centres in program development.</p> <p>The City will plan, conduct and evaluate Department sponsored programs and services.</p>
<p>Hours of Operation</p>	<p>Community Centres shall be open and accessible to the public for programming on a consistent basis, 12 months per year.</p> <p>Community Centres shall strive toward achieving the following minimum targeted</p>	<p>Where a Community Centre struggles to meet targeted hours, the City and GCWCC will provide assistance to the Community Centre by working with them to help meet their community's programming needs.</p>

PROGRAM RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
	<p>hours of operation for each site location, based on facility size:</p> <p>Small Facilities</p> <ul style="list-style-type: none"> • Under 10,000 sf • Average 20 hours/ week <p>Medium Facilities</p> <ul style="list-style-type: none"> • 10,000 – 20,000 sf • Average 30 hours/ week <p>Large Facilities</p> <ul style="list-style-type: none"> • Over 20,000 sf • Average 50 hours/ week <p>Exemptions: Satellite sites that function solely as skate change buildings (<3,000 sf) are exempt from target hours.</p> <p>Community Centres will provide washroom access when Community Centre programming is taking place on the adjacent grounds.</p>	

GROUNDS MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Clean Up	<p>Ongoing litter/broken glass pick- up on grounds.</p> <p>Collection of litter from containers and waste receptacles.</p>	<p>Litter collection in conjunction with mowing of grounds.</p> <p>Removal of excessive and bulky waste items.</p>
Inspections	Provide a representative at annual grounds inspections to convey any Community Centre issues.	Conduct an annual grounds inspection with a community centre representative between August 1 st and September 30 th .
Outdoor Courts	<p>Ongoing sweeping of tennis courts.</p> <p>Minor maintenance of basketball courts, standards, sand volleyball courts, tennis courts and nets, i.e. tighten nets, etc.</p> <p>Sweep basketball courts and install nets.</p> <p>Maintain horse shoe pits.</p> <p>Refer to Maintenance Section for lighting.</p> <p>Where there is an agreement between the Community Centre and an outside organization (example: Basketball Courts), the Community Centre is responsible for both minor and major maintenance. Should this agreement end the Community Centre will be responsible for minor maintenance.</p>	<p>Initial sweeping of tennis courts during spring cleanup.</p> <p>Painting of tennis court lines as required.</p> <p>Install and remove seasonal tennis nets and standards upon request.</p> <p>Major repairs to court surface, standards, and nets (replacement).</p> <p>Supply of sand as required. See Accountability Manual for Materials and Supplies Guideline).</p> <p>Should an agreement between the Community Centre and an outside organization end, the City will be responsible for major repairs at the level of City of Winnipeg Standards for that specific type of court. (Example: Basketball Court)</p>
Site Drainage	Notify City of hazardous standing water conditions.	<p>Pumping of standing water from hazardous areas.</p> <p>Repair and/or replace storm sewer lines on playing fields.</p>

GROUNDS MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Catch Basin Maintenance on fields	Clear catch basin covers of snow and sediment	Assist with excessive snow removal, thawing of frozen catch basins as required.
Athletic Fields	<p>See Appendix for:</p> <ul style="list-style-type: none"> - Maintenance Standards Soccer- Football* - Maintenance Standards Baseball* - Materials Supplies Guidelines - Herbicide Use Procedures <p><i>*applies only to those centres participating in the Athletic Field Maintenance Program.</i></p>	<p>See Appendix for:</p> <ul style="list-style-type: none"> - Maintenance Standards Soccer- Football* - Maintenance Standards Baseball* - Materials Supplies Guidelines - Herbicide Use Procedures <p><i>*applies only to those centres participating in the Athletic Field Maintenance Program.</i></p>
<p>City of Winnipeg Approved Playground and Park Amenities (Example: Toboggan Slides, Picnic Tables, Park Benches, Park Lighting, Bleachers, BBQ's)</p>	<p>Notify City of safety concerns regarding playground and park amenities.</p> <p>Where possible, Community Centres to make minor repairs to address the safety concern. (i.e. tighten bolts, removal of glass and other unsafe objects)</p> <p>Consult with the City regarding construction of all new/upgrades of playground and park amenities.</p> <p>Receive written approval from the City for any new/upgrades of playgrounds and park amenities.</p>	<p>Inspection and/or repair of all play ground and park amenities.(i.e. requires specialized equip/materials)</p> <p>Supply and install sand for sandboxes, play stone, wood chips and mulch under play structures. (See Appendix for Material and Supply Guidelines.)</p> <p>Removal of unsafe or irreparable playground & park amenities. City to communicate with Community Centre as soon as possible.</p> <p>Approval of all new/upgrades of playgrounds and park amenities.</p> <p>Shrub bed maintenance including mulching, and pruning to City standards.</p>
Trees	Notify City of diseased or hazardous trees for removal and pruning. Call 311 to request an inspection from Urban Forestry if a diseased tree is suspected.	Removal of diseased or hazardous trees. Trees to be replaced within two years. Pruning of dead/diseased limbs every 2-3 years.

GROUNDS MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Repairs due to vandalism	Repair vandalism to grounds and site amenities when appropriate equipment and materials are available at the centre.	Repair of vandalism to grounds and site amenities beyond the equipment capacity of the Centre.
Chain Link, Post and Chain Fencing	Minor repairs to City Standards, (example: retying mesh, gate repairs)	Replacement where repairs are not feasible and the City has deemed that the fence is still required for safety reasons.
Snow Fencing	Request and install snow fencing.	Provide snow fencing (subject to availability.)
Knockdown Rinks	See Appendix for: - Maintenance Standards for Knockdown Rinks. Flooding and proper maintenance of all outdoor ice surfaces. Repair and/or replace flooding hoses Bank snow for pleasure rinks. Consult with City regarding placement of pleasure rinks.	See Appendix for - Maintenance Standards for Knockdown Rinks. Approval of pleasure rink locations.
Snow Clearing	All snow clearing and removal. Repairs to damaged parking curbs.	Upon availability of resources, the City will assist with the removal of excessive snow piling adjacent to rink boards.
Pest Control	Report to the City problems with exterior pests.	Responsible for exterior pest control.

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Compliance with Building Maintenance Regulatory/Safety Items</p>	<p>The Community Centre to comply with the regulatory requirements as outlined in the Universal Funding Responsibilities.</p> <p>The Centre, upon notification of deficiencies through the Facility Inspection Report on any regulation/safety items, must correct the deficiency(s) within agreed timeframes.</p>	<p>The City to comply with the regulatory requirements as outlined in the Universal Funding Responsibilities.</p> <p>The City must notify the Community Centre of any deficiency(s) as identified through the Facility Inspection Report or by written communication for the Centre to correct the deficiency(s) within agreed timeframes.</p>
<p>Inspections</p>	<p>Participate in annual inspections in conjunction with the City. Rectify all deficiencies that are the Community Centre's responsibility within agreed time frames.</p> <p>Close public access to areas deemed unsafe.</p>	<p>Annual inspection in conjunction with the Community Centre.</p> <p>Anticipated completion dates for follow up work to be discussed at the inspection and noted in the documentation. Rectify all deficiencies that are the City's responsibility within the agreed time frames</p> <p>Documentation of inspections to be submitted to the Centre and filed with the Department within 60 days.</p> <p>Close public access to areas deemed unsafe.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Public Safety	<p>Closely monitor all facilities with regard to public safety. Rectify all hazards or potential hazards as they arise. If necessary notify and involve City as soon as possible.</p> <p>Provision for safe, clear access/egress from all entrances and exits of the building (sidewalks, pathways to ice surfaces, parking lots).</p> <p>Clear and remove snow, ice and icicles from all doorways and associated walkways, eaves, canopies, and roofs. Notify City of hazardous conditions.</p> <p>Keep corridors, stairs, and fire egress routes clean and clear. Keep exterior fire doors and pathways free of snow and ice.</p>	<p>Resolve all safety problems that are the City's responsibility as quickly as possible.</p> <p>Remove snow, ice, and icicles from eaves, canopies, or roofs when special equipment is necessary (boom and bucket, etc.).</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Fire Safety Awareness	<p>Assist with the development of the Fire Safety Plan as required by the Winnipeg Fire Paramedic Service.</p> <p>Staff education and training.</p> <p>Practice the contents of the Fire Safety Plan outlined per facility.</p> <p>Notify the City of any changes to the facility for update of the Fire Safety Plan.</p> <p>Maintain the Fire Safety Plan signage in the facility.</p>	<p>Develop and post the Fire Safety Plan and audit building systems as required by the Winnipeg Fire Paramedic Service</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Fire Safety	<p>Keep corridors, stairs, and fire egress routes clean and clear. Keep exterior fire doors and pathways free of snow and ice.</p> <p>Keep furnace and electrical rooms clean and uncluttered with clear access to all mechanical and electrical equipment</p> <p>Store flammables, combustibles, and hazardous materials in accordance with regulations and authorities having jurisdiction.</p> <p>Keep storage rooms, attics, and crawl spaces clean / uncluttered.</p> <p>Purchase and maintenance of fire extinguishers. Every week check that fire extinguishers are in all the required locations and are fully charged.</p>	

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Building Maintenance</p>	<p>Ensures the facility maintenance adheres to all building and fire codes, health regulations, and other local by-laws and regulations.</p> <p>Without prior written approval from the City, structural changes required to a site caused by a renovation or modification initiated by the Community Centre.</p> <p>Door and window repairs including caulking, sealing, weather stripping, hardware replacement, vandalism repairs, and upgrading.</p> <p>Wall, ceiling, and floor repairs i.e. stucco repairs, siding, minor cracks, flooring replacement, drywall repairs, painting, etc.</p> <p>Interior and exterior painting.</p> <p>Ongoing maintenance and repair of handicap ramps.</p> <p>Checks, repairs, and cleaning of HVAC systems. All filters to be checked monthly and changed or cleaned as required. Furnace operation and heat exchanger to be inspected annually by a qualified trade person.</p>	<p>Major structural repairs to preserve the infrastructure and to prevent further deterioration and possible danger to both building and people (e.g. foundation leaks, cracked concrete, excessive shifting and building movement.).</p> <p>Replacement of handicap ramps due to age deterioration.</p> <p>Replacement of chimney, furnace, and air conditioning when caused by age deterioration but not by vandalism. This includes cracked heat exchangers, and worn out air-conditioning compressors.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
	<p>Repair and/or replacement of thermostats, fans, belts, heating and air conditioning system components, window air conditioning units, pumps, ducts, blowers, and filters.</p> <p>Repair, clean, and inspect chimneys annually.</p> <p>Purchase, maintenance, repair of building inventories list as submitted annually to the City of Winnipeg (Building Furnishings).</p> <p>Installation, purchase and maintenance of kitchen and deep fryer exhaust systems, associated fire extinguishing systems and fire alarm system interface.</p> <p>Regular cleaning of exhaust system filters and duct work to prevent grease build up.</p>	
Graffiti Removal	<p>Removal of graffiti on interior surfaces, and where possible on exterior surfaces.</p> <p>If assistance is required, contact 311: Graffiti Hotline.</p>	<p>Removal of graffiti on exterior surfaces requiring specialized materials and equipment where resources allow.</p>
Custodial	<p>Responsible for the provision of all custodial services as per City/Provincial Standards.</p>	<p>Provide feedback on custodial services at annual inspection.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Plumbing	<p>Plumbing repairs.</p> <p>Minor replacement of water and sewer lines within the building footprint.</p> <p>Replacement of valves, hot water tanks, pumps.</p> <p>Fixture replacement.</p> <p>Joint and leak repairs.</p> <p>Cleaning of drain lines.</p> <p>Installation and maintenance of weeping tile system. e.g. sump pumps, associated controls and alarms.</p> <p>Maintenance, inspection, and repair of backflow prevention devices required by the authority having jurisdiction.</p> <p>Thawing of frozen lines within the building footprint.</p> <p>Emergency services repairs and replacement.</p> <p>Cleaning of sanitary sewer and water lines from outside of building to public connection (Roto Rooter)</p>	<p>Major re-routing and replacement of water and sewer lines due to age or deterioration or as required by local codes.</p> <p>Initial installation of utility or water meters and backflow preventors, as required by the authority having jurisdiction.</p> <p>Thawing of frozen lines from outside of building to public connection.</p> <p>Cost of emergency water service to building. (Water Truck)</p> <p>Repair and/or replace sanitary sewer and water lines from outside of building to the public connection.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Roof Repairs and Maintenance	<p>Where it is within the capacity of the Community Centre, inspection and maintenance of eaves troughs, soffits, fascia, roof drains and down spouts.</p> <p>Roof repairs and/or replacement covered by an insurance claim as approved by Public Works Department.</p>	<p>All roof maintenance, repairs and replacements.</p> <p>Replacement of eaves troughs, soffits, fascia, roof drains and down spouts.</p> <p>Annual cleaning of eavestroughs where required.</p>
Building Sprinkler System Shut down and Activation Procedure.	Notify City a minimum of 2 working days in advance of building sprinkler shut down.	Provide details to the City's Insurance Branch.
Contracted Services (All work performed by Contractors)	<p>Before assigning a contract and before work begins, consult with the City to ensure all contractors have approved Workers Compensation Board coverage, and meet the City's liability insurance and security clearance requirements.</p> <p>As requested, provide a list of all contractors used regularly. Provide updates as changes occur.</p>	<p>When notified by the Community Centre, obtain Certificate of Insurance from the contractor's insurer and forward to the Insurance Branch for approval and file.</p> <p>On request, the City to provide Community Centres an up to date list of all pre-approved insured contractors.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Electrical	<p>Electrical repairs, replacement, and maintenance including light fixtures, ballasts, plugs, switches, panel work, circuit breakers/fuses, and minor rewiring, all electrical heaters (up to and including 5 Kw heaters), fans, and furnace motors.</p> <p>Installation, maintenance and replacement of intercom and sound systems.</p> <p>Repairs resulting from vandalism to related equipment and circuitry.</p> <p>Maintenance of emergency and exit lighting systems.</p> <p>Regular testing of ground fault circuit breakers and receptacles.</p>	<p>Complete panel replacements.</p> <p>Disposal of light ballasts containing PCB's. (pre 1978 ballasts)</p> <p>Major building rewiring and repairs when required by the hydro utility or electrical/fire inspector and necessitated by an unsafe condition.</p> <p>Replacement of the electric fan forced air heaters larger than 5 Kw used in building heating systems, not including skate change, tractor room, storage rooms and sheds.</p> <p><i>(Note: above added as per 2011 Arbitration Process Resolution)</i></p> <p>Equipment and system replacement required by new regulations, codes.</p>
Permanent Hockey Rinks	<p>Permanent hockey rinks and player boxes maintenance, repairs, and replacement.</p> <p>Prior to hiring a Contractor, consult with the City re plans for major refurbishments or construction of permanent hockey rinks or alterations/additions to rink lighting.</p> <p>Obtain building permit prior to start of construction.</p>	<p>Provide technical assistance, plans, specifications and quotation packages.</p> <p>Approval of project scope for additions and replacements, prior to application for building permit.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Exterior Lights on Poles for Community Centre Parking Lot and Building Entrance Pathway (excludes arena parking lot areas and associated pathways)</p>	<p>Maintenance/repairs and/or replacements including ballasts, light bulbs and fixtures, switches, breakers, photo cells and minor repairs and/or replacements to overhead and underground wiring.</p> <p>Maintenance of pole assembly including anchor bolts.</p>	<p>Major rewiring when required by mandatory regulations or the authority having jurisdiction.</p> <p>Approval of project scope for additions and/or replacements, prior to start of work.</p> <p>Provide technical assistance, plans, and specifications and quotation packages.</p> <p>Assessment of Workplace, Safety and Health considerations related to the condition of the light standards.</p> <p>Replacement when repair is not feasible and replacement is caused by age deterioration or natural causes.</p> <p>City provides technical support for maintenance and repairs. i.e. overhead wiring.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Rink Lighting (Including Permanent/Knock-Down Rinks)</p>	<p>Additions, repairs as required except for structural base below ground level.</p>	<p>All relevant safety issues will be reviewed on an individual basis.</p> <p>Approval of project scope for additions prior to start of work</p> <p>Provide technical assistance, plans, and specifications and quotation packages.</p> <p>Structural repairs to base below ground level.</p> <p>Replacement of light standards based upon the development of a prioritized replacement list and dependent upon availability of capital funding to support such.</p> <p>Installation and removal of seasonal lighting for knock down rinks.</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
<p>Parking Lots</p>	<p>Clear and remove snow and litter. Repairs and replacement to pre-cast parking curbs and speed bumps due to snow removal or vandalism.</p> <p>Installation, repair and replacement to all gates/chains/ arms associated with parking lots.</p> <p>Line painting.</p> <p>Rectify all hazards or potential hazards as they arise. If necessary notify and involve the City as soon as possible.</p>	<p>Surface repairs and asphalt/concrete replacement of parking lots as required, for parking surfaces serving UFF funded facilities (excludes parking lot serving fields/grounds).</p>
<p>Fencing, Wood Ramps and Decks (See Ground Responsibilities for Post / Chain Link Fencing)</p>	<p>Ornamental and wood fence, ramp and deck repairs and maintenance. Regularly inspect and where possible rectify all safety issues immediately.</p>	<p>Complete replacements due to age deterioration. Replacement of wood decks</p>

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Fire Alarm and Security (keys, alarm)	<p>Security alarm system installation.</p> <p>Maintenance and monitoring of alarm system i.e. burglar and fire.</p> <p>Fire alarm system testing and operation verification as required by the authority having jurisdiction.</p> <p>Fire alarm system changes and/or upgrades when equipment is added (e.g. deep fryer exhaust system) or building is renovated.</p> <p>Key control system, re-keying and lock hardware as required.</p>	Fire alarm system installation, upgrade, replacement as required by code.
Pest Control	Interior pest control.	Exterior pest control (see Grounds Responsibilities).
Signage	<p>Maintenance and repair of all Centre signs on Community Centre property.</p> <p>Installation, maintenance, repair and replacement of all illuminated, custom or specialty signage. Obtain approval from the City prior to hiring a signage contractor for new installation/major change.</p>	<p>Installation of all outdoor City by-law signs (fire lane signs).</p> <p>Installation and maintenance of standard brown street directional signs (maximum of 4 per site).</p>
Fall Protection	Maintenance of fall protection anchors.	Installation of fall protection anchors.
Roof Access Ladders and Hatches	Maintenance of roof access ladders and hatches.	Installation of roof access ladders and hatches to facilitate safe access.

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Elevators and Lifts (to meet universal design)	<p>Maintenance by a qualified elevator mechanic.</p> <p>Maintenance frequency should be as recommended for the duty cycle of the lift or elevator equipment.</p>	<p>Pay for annual inspection by the authority having jurisdiction.</p> <p>Follow up on compliance items.</p> <p>Replacement/major overhaul due to age deterioration.</p>
Asbestos	<p>Keep staff/volunteers informed where asbestos is located in the facility.</p> <p>Report disturbed asbestos to City for immediate repair.</p> <p>Notify City of planned projects regarding asbestos management e.g. floor tile replacement, holes required through walls, ceilings containing vermiculite, etc.</p>	<p>Maintain accurate records of where asbestos exists.</p> <p>Provide information, as required.</p> <p>In facilities where asbestos exists, conduct a thorough inspection every year.</p> <p>Provide notification of projects as per regulations.</p> <p>Repair/remove disturbed asbestos.</p>
PCB's	Keep staff/volunteers informed about safe PCB procedures.	Dispose PCB's as per regulations.
Lead Paint	Before sanding paint, contact City to determine whether or not it is lead paint.	Remove lead paint as per regulations.
Mould	Notify City of suspected mould.	Responsible for mould remediation/ abatement.

BUILDING MAINTENANCE RESPONSIBILITIES

ACTIVITY	COMMUNITY CENTRE	CITY OF WINNIPEG
Parking Lots, Roof Repairs and Maintenance	<p>All roof maintenance, repairs and replacement.</p> <p>Replacement, cleaning and maintenance of eaves troughs, soffits, fascia and downspouts.</p> <p>Responsible for all parking lot maintenance and repairs to City standards</p>	<p>May assist on roof/parking lot replacement/repairs on pro-rated cost shared basis (i.e. areas normally covered under the Universal Funding Formula, not including areas of specific single use for indoor arenas / soccer/ sportplexes e.g. playing areas, grandstands, etc.)</p> <p>Scope of work and mutual cost sharing arrangements to be agreed prior to commencement/commitment of work.</p>
Heated Change Rooms	Maintenance as per "Building Maintenance Responsibilities" section for Community Centre facilities	Maintenance as per "Building Maintenance Responsibilities" for Community Centre facilities
Building Maintenance Operations	All building/equipment maintenance/replacement and operations requirements, unless noted otherwise in this section.	Annual facility inspection. Identify maintenance items.

3.0 Constitution, By-laws, Policy Manuals

Constitution and By-laws are simply the rules which govern the internal affairs of the Organization. They should be reviewed on an annual basis. A Policy Manual contains policy information for staff and volunteers and should be amended as needed.

Normally, the Constitution can only be amended at the Annual General Meeting, pending proper notification of the membership (as outlined in the Constitution). Amendments are passed through successful vote.

Amendments to the By-laws can normally be made at monthly meetings, pending proper notification of the Board. They are also passed through successful vote.

The Constitution takes precedence and the By-laws cannot conflict with the Constitution.

Purpose: Constitutions and By-laws are needed because they:

- Determine who has authority and how that authority will work
- Give structure to the organization and help prevent conflicts and disagreements
- Will inform the membership of the rules and the roles of the key volunteers
- Will set a standard for future Board members

Composing Constitutions and By-laws

A sub-committee of three to five members should be appointed by the Board to prepare/review the constitution and by-laws on an annual basis.

A sample of the Standardized Constitution for Community Centres is included in the appendices.

The committee should take care that the rules are not too restrictive, while ensuring that the following topics are properly addressed:

- Full, official name of the organization
- The purpose of the organization
- The members of the organization
- The fiscal year of the organization
- The powers of the executive committee
- The government of the organization
- When and how elections are held
- Terms of office
- Timing of meetings
- Quorums

Constitutions must be reviewed on an annual basis. Amended copies (signed and dated) must be submitted to the City of Winnipeg within 30 days of the AGM.

- Voting privileges
- Signing authorities
- Process for amendments to the constitution/by-laws
- Indemnification clause
- Winding up
- Statement of Board approval

Sample Index for a Community Centre Policy Manual

The Table of Contents may include:

- Administration - Executive/Board Members (meetings/procedures); Staff
- Fair Play Policy
- Fee Schedule Policy (activity/participation/volunteer)
- Financial Controls (authorization/methods of payment/budgets/purchase orders)
- Fundraising Policy
- Helmet Policy
- Hall rental procedures Fees
- Ice Rental Policy
- Loans (Equipment/tables/chairs)
- Program Registration Fees (how are they set/method of payment/late fees/cancellation/refunds)
- Registration Fee Subsidy Policy
- Smoking Policy
- Volunteers (recruitment, application, contracts, Child Abuse Registry Check, Criminal Registry Check, training, orientation, recognition, appreciation, evaluation, dismissal)

4.0 Incorporation and the Role and Responsibility of the Board of Directors

Advantages of Incorporation

Incorporation has certain legal advantages. The benefits of incorporation include:

- Limited liability – the individuals who control the Corporation are not responsible, except in unusual circumstances, for the legal and financial obligations of the organization.
- Protection of the name – the name of the corporation is legally protected in Manitoba and no other organization can use that name without consent.
- Continuity – the existence of the organization is not dependent on the continued participation of individual directors or members. The corporation continues to exist until it is formally dissolved.
- Taxation – as a general rule, qualifying non-profit organizations are not subject to taxation by the Canada Revenue Agency.
- Funding – due to the perceived air of professionalism, a corporation generally has more credibility with government and private funders.

Corporation Records

The following is an excerpt from the Corporations Act:

A corporation shall prepare and maintain, at its registered office and, subject to subsection (5), at any other place in Manitoba designated by the directors, records containing

- a) The articles and the by-laws and all amendments thereto, and a copy of any unanimous shareholder agreement;
- b) Minutes of meetings and resolutions of shareholders;
- c) A register of directors setting out the names, addresses and other occupations, if any, of all persons who are or have been directors of the corporation with the several dates on which each became or ceased to be a director; and
- d) A securities register complying with section 46.

Other Records

A corporation shall also prepare, and maintain at its registered office or at another place in Manitoba designated by the directors, adequate accounting records containing minutes of meetings and resolutions of the directors and at any committee of directors.

Annual Return of Information

Community Centres will receive an Annual Return of Information that must be completed and filed with the Companies Office every year with the annual fee.

Should a Centre fail to file their Annual Return of Information, they will be notified as being in default. Failure to file Returns for two (2) consecutive years will result in the dissolution of the Centre's incorporation status.

Filing for Articles of Revival

Where a Centre has been negligent in filing their Annual return of Information for two (2) consecutive years, they must file for Articles of Revival to regain their Incorporation Status.

GCWCC researches the incorporation status of the City of Winnipeg Community Centres on a yearly basis. When notification is received that a Centre's incorporation is in default or has been dissolved, a letter is sent to the Centre's president informing him/her of the Centre's failure to file. This gives the Centre the opportunity to rectify the infraction.

Responsibilities of the Board of Directors

The Board of Directors, as a collective rather than as individuals, has the power and obligation to manage the affairs of the corporation.

As one of its obligations, the Board of Directors must call the Annual General Meeting (AGM) of members of the corporation, fixing the date, time and place within the limits authorized in the constitution and/or by-laws of the corporation.

The business of this meeting is prescribed in part by law and in part by the constitution and/or by-laws. Included in the business of the AGM are the receipt of the Auditor's Report (annual reviewed statement), administration's report (the Board's reports) and the election of directors. Other business may emerge but these three matters are required.

Qualifications of Directors

The following persons are disqualified from being a director of a corporation:

- a) Anyone who is less than 18 years of age
- b) A person who has the status of bankrupt

Directors' Liability Exposure

While protection from personal liability flowing from the activities of the organization may be the initial motivation for incorporation, members of the Board of Directors still face exposure to liability for any of their own actions that are inconsistent with the duties owed

by directors to the corporation that such director serves. Directors must therefore be careful in fulfilling their duties to the corporation (and at times, to others) to receive the benefit of such protections as are available.

Role of Directors

The statutes providing for incorporation require directors to manage (or supervise the management) the affairs of the organization. In addition to this mandate, the powers of the directors in a well-organized, non-profit organization will generally be outlined in the corporation's constitution and/or by-laws.

While directors initially pass the constitution and/or by-laws, continuing validity of such governance is contingent upon approval of the members of the organization. Once approved, directors are bound to act within the scope of the constitution and/or by-laws.

The constitution and/or by-laws of the non-profit organization will usually cover the qualifications of directors; the method by which a person becomes a director; the process for filling vacancies on the Board; how and where meetings of the Board may be held; the quorum for these meetings; when directors may/may not exercise their votes, and what remuneration is available to directors.

Duties of Directors

A director of a corporation must know certain aspects about the corporation and the constitution outlining the fundamental purpose for the existence of the corporation. At a minimum, the director must be aware of the content, though not necessarily the detail of the constitution. The director must also be aware of the requirements of the internal governance mechanisms – generally known as the By-laws – by which the corporation operates.

Similarly, directors must fully understand what the corporation does in practice, that is, how the corporation puts its purpose into action.

In practical terms, orientation of new Board members is considered a fundamental prerequisite to full participation in the processes of the Board; indeed, regular refreshing and updating of all Board members is provided, upon request, by GCWCC.

Correspondingly, all Board members must consider that the duties of office include an obligation to review, at least annually, the fundamental documents. Best practices of Boards include, in every directors' meeting, at least some education as to the operations of the corporation so that directors can fully understand how mission, vision and objectives are translated into action.

Just as there is a need to periodically reflect on the mission, vision and objectives, directors must also formally review the constitution documents and by-laws to ensure that they each remain consistent to the reason of the organization.

Duty of Care

Every director and officer of a corporation, in exercising the powers and discharging his duties shall:

- Act honestly and in good faith with a view to the best interests of the corporation
- Exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances

Every director and officer of the corporation shall comply with the Corporations Act and the regulations, the articles and the by-laws.

Duty of Diligence

To discharge the duty of diligence, a director must act in the best interest of the corporation and must be as fully informed as reasonably possible with respect to all aspects of the corporation.

One of the most significant parts of the duty of diligence requires a director generally to exercise the level of care of an ordinary person, and for this purpose:

- To review the agenda and supporting material in advance of each meeting of the directors and any committee to which appointed
- To attend meetings of the Board and committees to which appointed
- To be prepared to discuss business before the meeting in a prepared and knowledgeable way
- To vote (unless excluded by reason of conflict of interest or other prohibition) on matters that come before the meeting.

If attendance at the applicable meeting is not possible, a director should review the minutes of the meeting and other financial statements of the organization in order to stay informed. This will be particularly important when an illegal or similar act is undertaken at a meeting.

The absent director may be liable unless that director immediately registers a dissent.

Duty to Manage

The Board of Directors of a non-profit corporation has the duty to manage the affairs of the organization and to apply the constitution and by-laws of the organization. This managerial

duty includes, but is not limited to, the duty to elect officers (where so authorized); to appoint and supervise staff; to establish policies and provide guidance; to comply with legal requirements; to acquire knowledge of the business and functioning of the organization; and to enact by-laws as necessary and useful to the operation of the organization.

There is a distinction, and it should be clearly delineated, between the duties and obligations of the directors and those of the staff. In very broad and general terms, directors are responsible for establishing policies, management for implementing them, and directors for measuring management's implementation of those policies.

Fiduciary Duty

Fiduciary duty requires the person to act honestly and in good faith; to be loyal to and to act in the best interest of the corporation; to avoid conflict of interest; and to subordinate every personal interest to those of the corporation.

One of the most important features of the fiduciary duty is the obligation to avoid acting in such a way that personal interests conflict with the interest of the corporation, and more specifically, those interests of the corporation that the director must protect.

An Effective Board of Directors

An effective Board of Directors will strive to fulfill the purpose of the organization. An effective Board will lead to a successful organization, minimize potential liability for the organization, and also limit the liability of directors personally. An organizational periodic review should include the steps needed and taken to discharge the duty of due diligence and to act within the appropriate standard of care.

A sample checklist, by no means exhaustive and in no particular order, might include the following:

1. Know the corporate mandate, its mission, vision and objectives; its operation; and its by-laws
2. Always act objectively, and in the best interest of the corporation
3. Prepare for all Board meetings, and all committee meetings of which the director is a member, by reviewing all agenda material including reports
4. Attend and participate in all Board meetings and all committee meetings of which the director is a member
5. Keep careful notes at meetings and review the minutes of all meetings
6. Insist upon the establishment and regular review of operating policies and monitor staff adherence to them
7. Obtain outside expert advice whenever necessary

8. Disclose all personal dealings as early as practical
9. Record, and ensure that minutes record, director's disclosures, dissent or refrain from voting
10. Ensure that there are effective internal systems in all areas of corporate activity, particularly accounting
11. Avoid possible conflict situations
12. Maintain a proper record keeping system.

5.0 Standardized Financial Reporting

Introduction

Community Centre volunteers are entrusted with the day to day management of the operation of the centres. As Community Centre facilities and inventories are assets of the City of Winnipeg, they are insured by the City of Winnipeg. As the managers, Community Centre volunteers are entrusted with public funds and facilities and therefore accountable to the City of Winnipeg and the community which they serve.

To qualify for the City of Winnipeg Operating Grant, Community Centres must comply with the Community Centres Standardized Financial Reporting as outlined in this document.

This document was designed to ensure that a minimum standard of financial accountability is maintained by all City of Winnipeg Community Centres.

The Importance of a Financial Management System

A financially well run Community Centre portrays a professional, competent image to the members of the community and its grantors, sponsors and donors. As well, an efficiently run centre will attract volunteers.

The success of an organization depends on the effectiveness of its financial management system. In managing a successful Community Centre, certain risk management practices must be put into place, one of which is financial accountability.

A financial management system will give the Centre's volunteers an immediate accounting of how much money is available and will allow the Board to budget and manage appropriately.

Financial stability ensures that financial resources are available as and when required and enhances the organization's ability to carry out its plans and fulfill its vision and mission.

The Purpose of Financial Reporting

The purpose of financial reporting is to make sure that any decisions that need to be made can take into consideration accurate and up-to-date financial data. Financial reporting also can answer such questions as:

- What has the overall financial performance been this month?
- What is our financial health – can we pay our bills?
- How does the actual financial picture compare with the budget?
- Is specific action required for limiting expenses in certain areas?

- Does a review of the report indicate a change in the budget is appropriate?
- Have deposits, payment of invoices been made on a timely basis?
- Are fundraising efforts on track?

Annual reviewed statements can tell you:

- What the organizations' financial performance was over the past year
- The reasons why the financial performance differed from the budget
- What financial implications must be taken into account when planning for the upcoming year
- What recommendations the auditor has made related to the account systems, internal controls, and financial planning.

Community Centre Board's Responsibility/Accountability to the City of Winnipeg

All Centres must have a centralized treasury where all financial dealings are the responsibility of the Centre's Treasurer. Centres should not have more than two *chequing* bank accounts (general, bingo/break-open revenue). All directors are responsible to report all of the financial dealings to the treasurer. Board members have the responsibility to ensure a detailed written financial statement, along with supporting documentation from the centres financial institution, is presented to them for review and acceptance at the monthly Board meetings. Copies of this information, along with the minutes of the Centre's Board meeting, must be submitted to the City Representative at the District Community Centres Board monthly meeting.

Community Centres are also required to submit an Annual Audited/Reviewed Statement to the City of Winnipeg in order to receive their Operating Grant. This statement must be submitted to the City no later than 120 days after the Centre's year end.

City of Winnipeg's Responsibility

The City is mandated to ensure the availability and accessibility of parks, open space, recreation facilities and leisure services to the public. Community Centres assist in fulfilling this mandate by providing recreation services to their membership through a cooperative partnership between Centre volunteers, GCWCC and City administration.

The City provides city owned facilities for Community Centres to operate within the responsibilities outlined in the UFF Responsibilities Document. The City also provides access to Annual Operating Grants upon receipt of the individual Centre's financial accountability requirements. These include: an annual audited/reviewed financial statement, monthly statements, minutes of the Centre's monthly Board meeting, annual inventory, annual listing of volunteers, valid incorporation status and a bi-annual program

report. *The Centre's operating funds are not released until these reports are received by the City.*

Community Centre operating grants are normally processed in two installments (60% in January and 40% in June) of each calendar year. The City, as grant funders, will have the authority to access Community Centre financial records at any time.

The City of Winnipeg, in consultation with GCWCC, may alter payment schedules as required.

GCWCC's Responsibility

The GCWCC, in cooperation with the City of Winnipeg, is responsible to offer ongoing support to the Community Centre volunteers by providing assistance in the area of training, record keeping, and control. GCWCC, at the request of the Community Centres, will provide ongoing leadership training workshops/seminars in financial accountability. GCWCC, upon request, assists individual centres to improve their fiscal responsibilities, financial management policies and practices.

Minimum Standards of Financial Accountability

Every Board member is responsible for the financial management of the Centre and ultimately accountable to both their membership and the City of Winnipeg. It is essential that the Centre's Board members institute and follow proper procedures and controls to ensure the Centre's financial stability. This can only be accomplished through proper financial recording and documentation.

All volunteer Board members share a legal and moral responsibility to ensure that a strict financial management system is in place and that it is adhered to.

All Board members are responsible to ensure the following standard practices are being met. These include:

- That a Treasurer is duly elected/appointed to keep an accurate accounting of all financial dealings of the Centre
- That the Treasurer is provided with a detailed job description
- That proper recording and reporting to the membership is done on a monthly basis (as outlined under Monthly Financial Requirements). This must be presented to the Board in writing on a monthly basis and substantiated with documentation (copies of the General Ledger, bank statements). Where meetings are not held in July/August, these statements must be dealt with at September's meeting. A copy of

this documentation is to be submitted monthly to the City Representative at the District CCB Meeting.

- It is recommended that periodic Finance Committee meetings are scheduled to ensure that all proper procedures are being followed. Normally, the president, treasurer and one other Board member would make up the Finance Committee.
- That all expenses are properly authorized and supported as per the Centre's constitution.
- That all committees dealing with finances report to the Board on a monthly basis (canteen, bingo, hall rental, registration, etc.). Where meetings are not held during July/August, these statements must be dealt with at the September meeting.
- That all Board members have the opportunity to carefully read all financial reports and after all questions have been satisfactorily answered, a motion is made to accept the report and is recorded in the minutes.
- In order for the Centre to qualify for the Annual Operating Grants, all accountability requirements must be met within 60 days of the end of the reporting periods: January grant installment reporting is required from May 1 to October 30th, June grant installment reporting is required from November 1st to April 30th. For grants that are requested after these deadline dates, the Centre will be required to submit financial accountability up to 60 days prior to the date of the grant request. (A grant requested June 1st would require financial accountability to the end of April).

Monthly Financial Statement Requirements

The reporting of the financial position of the Centre must be part of every monthly meeting agenda.

In order for the Board to fully understand the financial position of the Centre, it needs detailed accounting of what has been received in revenue and what has been expended during the month.

Statements Must Include:

- Monthly general ledger
- Detail the Financial Statement to show a complete breakdown of all revenues and expenses.
- Include copies of all reconciled monthly bank statements, investment accounts (as received)
- Activities must be reported on gross. Do not net out any of the categories.

- Follow the standardized method of reporting as outlined in Attachment A.
- All approved financial reports must be signed by two (2) executive officers.

Annual Audited/Reviewed Statements

City of Winnipeg Community Centres are required to submit an Annual Audited/Reviewed Statement to the City in order to receive their operating grant. This statement must be submitted to the City no later than 120 days after the Centre's year end to avoid any unnecessary delay in processing the Centre's grant.

In order to properly reflect the financial position of the Centre, there are a number of specific requirements that must be followed in performing an audit/review.

Community Centres must provide their auditor with a copy of the Community Centre Audit/Review Guidelines (see Appendix).

The audit/review must be performed and signed by an accredited public accountant (CMA, CA, CGA) in the Province of Manitoba. The person performing the audit/review should not be involved in the operation of the Centre.

Please see Appendix for information on the following:

- *Financial Stability Assessment*
- *Budgeting*
- *Standardized Revenue and Expense Statement Categories (Sample)*
- *City of Winnipeg Community Centre Investment Guidelines*
- *City of Winnipeg Community Centre Guidelines for the Discovery of Fraud and other Similar Irregularities*

6.0 Tax Deductible Donations/Fundraising

City of Winnipeg Tax Deductible Donations to Community Centres

Introduction

In accordance with sub-paragraphs 110(1) (a) and 118.1(3) of the income Tax Act, the City of Winnipeg, through the volunteer services of members at Community Centres, may issue tax deductible receipts to donors who make a contribution of \$10 or more to a Community Centre. Community Centres can send in the donation information electronically to their Community Centre Liaisons.

Cash Donations Information

1. Full name and address of the donor (include middle initial where possible).
2. Amount of the donation.
3. Receipt number issued to the donor by the Community Centre.
4. Covering letter from the Community Centre
5. Forms are submitted to your area Community Centre Liaison accompanied by a cheque from the Community Centre for the full amount of the donation(s).
6. Group/Corporate: a charitable donation receipt cannot be given to one individual. A detailed list of who made up the donation should be included and an official receipt will be issued in each donor's name.

Gifts-In-Kind Donations (Equipment/Material Donations)

1. The City of Winnipeg requires an independent appraisal of the donated item(s). Note that taxes, shipping and handling charges cannot be added to the market value of the donation.
2. Forms are then submitted to your area Community Centre Liaison along with the name of the donor, mailing address, postal code, appraised value in writing (on the appraiser's letterhead) and the receipt number issued to the donor by the Community Centre.

This process can be done as many times during the year as the Community Centre wishes.

In order to process for the proper taxation year, donor lists and appraisals should be submitted to your area liaison *no later than February 15th of the following year*. Should you have any questions, please direct them to your Community Centre Liaison.

General

1. Any donations made to a Community Centre may only be applicable for tax purposes in the year the donation was made.
2. To reduce the number of potential receipts issued by the City, the contribution must be \$10 or more.
3. All receipts for tax donation purposes shall be mailed to the donor as soon as possible but not later than the last day of February in the subsequent year.
4. Community Centres may, from time to time, receive donations from individuals or organizations which are not received as part of the Centre's fundraising campaign. These donations may be used for tax deduction purposes by following the same procedure as noted above.

Procedure for Community Centre Canvassers

1. All canvassers collecting funds must wear a badge of identification which clearly indicates the Community Centre's name.
2. Canvassers should issue an interim receipt (Community Centre receipt) to the donor listing the full name and address. Inform the donor that a tax deductible receipt for donations of \$10 or more will be mailed directly to them by the City. The interim receipt cannot be used for tax purposes. Retain a duplicate copy of the interim receipts for City audit purposes.
3. Deposit donations into the Community Centre bank account.
4. Provide a list of donors of \$10 or more, complete with applicable information, to the City of Winnipeg by February 15th, along with a cheque or bank draft payable to the City of Winnipeg for the total amount of the donations listed. The president or official designate shall certify the final total of listings and donors.
5. The Community Centre will receive a direct deposit into its bank account for the total amount of the cheque paid to the City in item 4.

Community Raffles

A Community Raffle Application is required for all raffles with gross maximum ticket sales revenue of up to \$5,000. Please go to the following website for further information:

http://www.mgcc.mb.ca/charitable_raffle.html

7.0 Children's Fitness Tax Credit

Information for Organizations Providing Prescribed Programs of Physical Activity

Although the Canada Revenue Agency administers the children's fitness tax credit, organizations are in the best position to determine if the programs they offer qualify as prescribed programs of physical activity for the purposes of the credit. Please go to the following website for more information.

<http://www.cra-arc.gc.ca/fitness/>

Issuing Receipts

You should issue a receipt for income tax purposes representing the amount of eligible fitness expenses **paid in the calendar year**. A receipt should contain the following information:

- Organization's name and address
- Name of the eligible program or activity
- Amount received, date received, amount that is eligible for the children's fitness tax credit (eligible fees)
- Full name of the payer
- Full name of the child, and the child's year of birth
- Authorized signature

8.0 Goods and Services Tax (GST)

RC4081 GST Information for Non-Profit Organizations

Non-profit Organization means an entity (other than an individual, an estate, a trust, a charity, a public institution, a municipality, or a government) that meets the following:

- It is organized and operated solely for non-profit purposes
- It does not distribute or make available any of its income for the personal benefit of any member unless the member is a club, a society or an association which has, as its primary purpose and function, the promotion of amateur athletics in Canada.

Qualifying Non-profit Organization means a non-profit organization that receives at least 40% of its total revenue from government funding during the year or the previous two years.

Public Service Bodies' Rebate

There is a special rebate under GST that allows certain non-profit organizations to recover 50% of the GST paid or payable on eligible purchases and expenses for which they cannot claim input tax credits.

Note: you do not have to be registered for GST to claim this rebate.

You qualify for a particular fiscal year if the percentage of government funding you receive for the year or for the previous two years is at least 40% of your total revenue.

How to Apply for the Rebate

When you file a rebate application for the first time, you have to complete Form GST66, *Application for GST/HST Public Service Bodies Rebate and GST Self-Government Refund*. After your first rebate application is processed, you will be sent the personalized version of the form for your next rebate application.

You have up to four years to apply for the rebate. Do not include your original invoices or receipts with your rebate application, but keep them for six years from the end of the year to which they relate for audit purposes. Also, you have to send Form GST523, *Non-profit Organizations – Government Funding*, each year. You no longer have to submit annual reports and financial statements.

Note: Your auditor is an excellent resource for the filing of your GST rebate application.

Should You Register for GST?

You have to register for GST if:

- You provide TAXABLE goods and services in Canada; and
- You are not a SMALL SUPPLIER

For further information, please refer to RC4081 at www.cra-arc.ca.

Many of the forms and publications mentioned in this section are available on the website at www.cra.gc.ca/forms, or call 1-800-959-2221 for a copy.

9.0 Insurance and Claims – City of Winnipeg

Liability Policy

Provides insurance in case someone claims your Community Centre was somehow responsible for their financial damage; caused by Bodily Injury, Property Damage or Personal Injury. Our policy covers the City, its employees, volunteers, or other workers.

Exclusions:

- Liability imposed by the Worker’s Compensation Act
- Liability arising out of the use or operation of any watercraft or aircraft
- Liability caused intentionally by, or at the direction of the insured (Community Centre)
- Liability resulting from nuclear energy contamination, terrorism, war
- Liability for property of others in the care, custody or control of the City
- Liability arising out of the ownership or use of vehicles.
- Fines or penalties for failure to comply with any statute, rule or regulation

Property Insured

All City owned property or that in which the City has an insurable interest, including property of others for which the City may be contractually responsible is covered against “All Risks of Direct Physical Loss or Damage”. The insurance provided is on a replacement cost basis.

Property includes buildings, contents, stock, equipment, office furnishings and supplies, and unlicensed equipment such as ice resurfacers, tractors or snow blowers. A complete inventory with replacement values must be supplied annually to the Insurance Branch. In the event of a loss, this list is the basis for reimbursement. Keep invoices for all purchases made between inventory updates in the event they are required to substantiate a loss for newly acquired items.

Personal property utilized/stored at the Community Centre should be insured by the owner of such property.

Exclusions (samples):

- Money, securities (covered under comprehensive crime)
- Land and foundations of buildings and of machinery
- Water craft, aircraft, licensed automobiles
- Railway sidings, tracks and all Rolling Stock

- Buried pipes, overhead wiring and supporting poles
- Furs, jewelry, watches, precious and semi-precious stones, and metals such as silver and gold
- Property illegally acquired, kept, stored and transported.

Perils Excluded – Loss or damage to:

- Wear and tear, gradual deterioration, extreme temperature
- Settling, seepage, expansion, contraction, moving, shifting or cracking
- Mysterious disappearance or shortage disclosed on taking inventory
- Infidelity of employees (covered under comprehensive crime)
- Property not kept in a standard state of repair
- War, civil commotion, invasion, revolution

Accident – Volunteer Workers

“Volunteer” means persons who are not receiving remuneration for the work performed for the City or Community Centre.

This insurance covers volunteers for accidental death, dismemberment, fracture, dental expense and convalescence while performing volunteer work as assigned and authorized for the Community Centre which is under the control of the City of Winnipeg.

Limits of Coverage

Principal sum:

- \$50,000 for volunteers 18 years of age and over
- \$10,000 for volunteers under 18 years of age.

The principal sum is payable for loss of life or certain dismemberments with portions of the Principal Sum for varying degrees of dismemberment or fractures in accordance with the Schedule of Losses.

Directors and Officers Liability Insurance

Directors and Officers Liability Insurance is provided to all Community Centres on a self-insured basis by the City of Winnipeg; meaning all claims are paid directly by the City of Winnipeg through the Claims Branch. The City provides coverage that is the same or superior to what could be provided through the purchase of a Directors and Officers Liability Insurance Policy.

Standard coverages and exclusions of a Directors and Officers Policy are listed below:

Who is covered?

Any person, who has been, now is, or shall become a duly elected or appointed Director or duly elected or appointed Officer of a Community Centre.

What is covered?

The City agrees to pay all loss that a Director/Officer shall be legally obligated to pay as a result of any claim made against the Director/Officer for a wrongful act while carrying out their duties usual to the operation of a Community Centre. The City agrees to defend any suit instituted against the Director/Officer in Canada.

Definitions

The term “Wrongful Act” means any actual or alleged error, misstatement, misleading statement, act, omissions, neglect, breach of duty by any Director/Officer in the discharge of their duties solely in their capacity with the entity, individually or collectively, or any matter claimed against the person by reason of their being directors, officers, trustees, employees, volunteers or members of any duly constituted committee of the entity.

How to Prevent Potential Directors and Officers Claims

Due Diligence

Due diligence is an enormous topic and we cannot advise you on what will be duly diligent in all circumstances, but there are some general rules. On a personal level:

- Be aware of your duties
- Act in terms of your organization’s by-laws and constitution
- For Community Centres, consult the City of Winnipeg Community Services Department and GCWCC
- Declare your interests and refrain from conflicts of interest
- Know your other directors
- Know the major business relationships of your organization
- Act in the best interests of the organization
- Act with care that a reasonable person in similar circumstances would exercise in a similar situation.

The law requires that Directors and Officers act on an informed basis, in good faith and in the best interests of the organization. The City has, and will continue to provide, Directors and Officers Liability Insurance Coverage for Community Centre Board members provided they are acting in good faith and in the best interests of the Community Centre.

Exclusions:

The City of Winnipeg will not pay claims:

- Contributed to by the dishonesty of the Director or Officer
- Attributable to the Director or Officer gaining any profit to which the Insured is not legally entitled
- For fines and penalties imposed by law
- For any punitive damages which are uninsurable under the law
- For the return, by the Director or Officer, of any monies illegally paid to them
- When a director or officer makes a claim against another director or officer
- Attributable to bodily injury, sickness, mental anguish, disease or death of any person or damage to or destruction of any property (the City has other policies in place for these).
- Already covered under another insurance policy
- Attributable to the release of pollutants (Environmental Liability)
- Attributable to liability arising under the Nuclear Liability Act

Note: The City of Winnipeg Insurance Branch strongly suggests that where the Community Centre Board is involved in any construction projects where they have direct contractual relationships with contractors, act as the project manager, directly supervise, manage and control capital funds and project budgets, they purchase their own Director's and Officer's liability insurance.

Participant's Insurance

Participant's insurance is a misnomer, as in reality it encompasses two different types of insurance.

One is liability insurance that covers the body that sanctioned the event from lawsuits launched by the injured player. Liability insurance results from a duty owed to others as a result of negligence (fault). Lawsuits typically take a long time and the injured player is not guaranteed payment. The City provides liability insurance.

The second is no-fault voluntary accident benefit plans for injuries suffered while participating in a sporting activity. In this case, the insurance covers the participant, not the sanctioning body, payment is guaranteed on a "no-fault" basis and lawsuits are not involved. The City does not provide no-fault voluntary accident benefit coverage.

Example:

During a soccer game, a player is standing in front of the goal post, which collapses, severely injuring the player. The City's general liability policy would respond to a lawsuit launched by the player.

If two players run into each other on the field, resulting in a broken limb and chipped tooth, the city would not provide no-fault voluntary accident benefits. In this case, if fault cannot be established, the player would look to other avenues for redress, such as Blue Cross, Student Accident Benefits, parent/guardian health plans, etc.

All sport governing bodies within Minor Sport Manitoba and/or CAHA provide general liability coverage as well as no-fault voluntary accident benefits. Therefore, to determine if no-fault voluntary accident benefits are available, one must first establish who sanctions the sporting activity and secondly determine if no-fault accident coverage is included.

City departments, including Community Centres, have liability insurance coverage provided by the City's insurance portfolio. Whether it's a craft program, exercise class, or a Jack Rabbit hockey program, liability coverage is in place, and will respond when necessary. The City does not provide participants with no-fault voluntary accident benefit coverage; however, this does not expose undue risk to the managing department or organization as this is the responsibility of each participant.

Boiler and Machinery Insurance

This is coverage for sudden and accidental loss caused by mechanical or electrical; equipment breakdown, including damage to the equipment, damage to other property of the insured, and damage to property of others. Examples of items covered are boilers, pressure vessels, pumps, air conditioning units, refrigerators, etc. This cover is excluded under All Risk Property cover and is therefore purchased separately. There is no coverage for wear and tear or standard maintenance that should have been performed on a regular basis.

Licensed Vehicle Insurance

It is the sole responsibility of each volunteer, employee or executive member of Community Centres to ensure that his/her vehicle is properly registered (All Purpose) with Manitoba Public Insurance for Community Centre activities and also to ensure that any individual who operates the vehicle is properly licensed and qualified to do so. Please discuss your use of your vehicle as a volunteer with your insurance agent to ensure adequate coverage is obtained.

Unlicensed Vehicles

Damage to unlicensed vehicles and equipment is covered by the property policy. Any legal liability for bodily injury or death to another person or damage to property of others arising out of the ownership, use or operation of unlicensed or specially licensed vehicles and mobile equipment is covered under the liability policy. Remember to include unlicensed vehicles and equipment on your annual inventory even when not stored in buildings.

Snow Removal

It is imperative for all Community Centres to ensure that any private contractors hired for snow removal/rink maintenance, obtain and provide verification of insurance. This transfer of risk protects the City of Winnipeg and the individual Community Centre in the event of a claim, as the contractor's insurer will respond.

The requirements are as follows and must be supplied on a certificate of insurance:

- Insurer name, policy number and policy period to cover snow season (mid April)
- Commercial General Liability Insurance (CGL), in the amount of at least \$2,000,000.00 inclusive
- The City of Winnipeg added as an additional insured
- Evidence of cross-liability clause
- Products and Completed operations
- Contractual liability
- Non-owned auto liability
- Unlicensed motor vehicle liability
- Minimum 15 days prior written notice of cancellation clause
- The certificate must clearly state: Operations include snow removal on city right of ways.
- Deductibles for damage caused by the contractor or the contractor's equipment shall be borne by the contractor
- Deductibles on any policy will not exceed \$5,000.00 and the deductible limit must be clearly stated on the certificate
- Automobile liability insurance for owned automobiles used for or in connection with the project in the amount of at least \$2,000,000.00; (note: this may come in on the same certificate or on a separate one).

The certificates should be held in safe keeping with the representative Community Centre. Should a claim occur and be channeled through the Claims Branch, the Community Centre will be asked to produce evidence of this documentation.

A current list of contractors that meet the above minimum requirements can be obtained by contacting the Community Centre Liaisons. If a contractor is on the list, a second certificated need not be obtained. The list changes from year to year, so check annually. Should a Community Centre select a contractor not currently on the list, it becomes your responsibility to ensure that evidence of proper insurance is procured. The requirements only relate to contractors and do not apply when Community Centres are utilizing their own volunteers or employees.

Procedure for Insurance Claims of Property Damage/Loss or Bodily Injury

If the situation is an emergency, contact 911 immediately; then contact your Community Centre Liaison.

- All incidents and claims involving the City in any way must be clearly reported to the City of Winnipeg Community Centre Claims Hotline at **204-986-7722**.
- Do not speak directly to the media. Refer all inquiries regarding the incident to the City of Winnipeg Claims Branch.
- Upon consultation with the Centre, the City of Winnipeg Community Centre Liaison must provide a complete and accurate report to the Claims Branch within 7 working days. The reports must have a police incidence number.
- Specific items damaged or lost should be listed giving purchase date or approximate age and original cost price. Replacement will be considered only for same or like items, on a replacement cost basis. Unlicensed vehicles are reimbursed on a depreciation value. Items must be listed on a Centre's inventory list that is provided each year or possession verified by a paid invoice in order to be reimbursed through a claim. Reimbursement will not be made for obsolete items that could not be replaced.
- Payment of the claim will be made upon receipt of paid invoices, including a final summary /accounting of the total amount of the loss.
- Settlement/recovery, if any, will normally be paid by direct deposit to the Community Centre.
- Claims are subject to a deductible of \$500. Community Centres are eligible for a City of Winnipeg subsidy, which lowers the property deductible from \$1,000 to \$500.
- In order to minimize the cost of insurance claims, the Centre is responsible to exercise due diligence in finalizing their claims within two years of the date of the discovery of the damage/loss. This includes submission of all invoices related to the repairs and/or replacement of the claim. Claims not finalized within the allotted two years will not be considered for payment.

****The Incident and/or Injury Report and the Property Damage, Theft or Loss Report can be found in the Appendix.***

Community Centres Insurance Claims: Retaining Damage Deposits from Outside Rentals

Community Centres filing a claim following an outside rental should retain the damage deposit and deposit to their bank account. The damage deposit must be reported on the Community Centre's claim accompanied by proof (cancelled cheque, bank statement) that these funds have been deposited in the Community Centre's bank account. The damage deposit is to be deducted from the total Community Centre claim.

For example, a Community Centre files a claim in the amount of \$1,000. A \$250 damage deposit was collected prior to the rental. The Community Centre would submit damages in the amount of \$1,000 minus \$250 (damage deposit) minus deductible of \$500 for a net claim of \$250. The bank statement showing the deposit to the Community Centre's bank account must accompany the claim.

This procedure provides the Community Centre with funds from the damage deposit to utilize while their claim is being processed.

Risk Management/Loss Prevention and Insurance Requirements for Wrestling, Boxing, Mixed Martial Arts (MMA) and Ultimate Fighting/Caged Events for Community Centre Rentals

A major focus of Community Centres is on activities and programs for young people. Concerns about youth gangs, drug and other related crimes is spurring Community Centres to develop more and increasingly varied activities and intervention programs designed for these young people. These programs and activities put greater onus on the Community Centres to ensure they are doing their due diligence in program offerings and loss prevention when programs are targeting children and youth. The responsibility to the community extends to who is allowed the use of or rental of the Community Centre activities.

It is therefore important that every Community Centre and their Board of Directors take an active role in the prevention and management of risks to participants in their programs,

Prior to renting the Community Centre to any third party groups, the following questions should be asked by the Board or the Facility Manager. The community centre is responsible, as the owner/landlord, in determining if rental is appropriate, both physically and philosophically, for their community centre.

1. Is the renter and their proposed activity in line and according to the philosophies of the Community Centre and the community members it serves;
2. Is the venue appropriate for the use the renter intends;

3. Is the renter or group in good standing with the community in general (when appropriate, are references required);
4. What are the ages targeted by the renter and is the activity appropriate for the target age group;
5. Does the rental require any increased loss control measures by the Community Centre;
6. Is there a possibility of loss exposure to the community property, clients/members, employees or volunteers because of this rental;
7. Is the group experienced enough and do they have the appropriate resources for the intended use.

Once the above are established, the usual rental procedures would be followed.

Entertainment Sporting Events are an unusual rental as they can be anything from a martial arts demonstration (no contact/competition), the Globe Trotters, to Ultimate Caged Fighting. Careful consideration should be made before approval of rental for these activities is given and in some cases it is appropriate, even though it may mean a loss or rental income, to decline the request.

Some of the questions that should be considered:

- What are the ages of the participants?
- What type of competition is it ? (e.g. provincials)
- What is the projected number of participants and target audience?
- What is the projected number of spectators?
- Does the group carry liability insurance coverage for the event for damage and injury **including injury to spectators, participants, and participant to participant?**
- Is the group affiliated with or a member of a recognized sports governing body or a sanctioned and recognized organization with clear regulations and requirements for events?
- Will there be trained referees and medical personnel on site at all times?
- Will the renter provide security if necessary? (get details)
- Will liquor or food be served?
- Can they provide appropriate evidence of insurance with the limits and terms required?
- Other activities (promotional/entertainment) other than the competition. Often promoters will use these events to encourage crowd participation before or after the event or during intermissions. Some of these are inappropriate for a Community Centre audience.

If the event involves amateurs and/or under-aged entertainers it is very unlikely that the participants will be covered. There are a number of reputable groups, including The Boxing Commission or the Manitoba Amateur Boxing Association that ensure the event is being operated according to regulatory requirements for the sport and which ensures the safety of the participants. When not authorized or sanctioned by one of these bodies, there may be insufficient protocols in place to protect the participants or the spectators.

While we have a \$2,000,000 criteria in place for community/high school or sanctioned sporting events, this limit is for community-related sports and competitions that involve participants or groups associated with the community (local amateur sporting competitions/community wrestling – all sanctioned and coverage in place for participants through sports federation). Entertainment style wrestling is considered a high risk activity and is not contemplated in our general rental liability requirements. Sporting competitions at a community level are only for competition and hopefully no one participates with the intention of harming another participant. However, entertainment events pit two opponents intent on injuring each other for the entertainment of the crowd.

Both the Convention Centre and MTS Centres have clear disclaimers on their tickets and their rental agreements are much stricter with respect to hold harmless, waivers of liability, and indemnification clauses because their operations specifically cater to this type of activity.

They also need to confirm through evidence of insurance that they can financially respond to legal liability arising out of their activities. The City's Risk Management Department has determined that the standard low hazard operation limit of \$2,000,000 for community centre rental is not sufficient for these types of high risk events and a limit of \$5,000,000 is more appropriate. Deviations from this are at the Community Centres own risk. *The City's liability insurer is not contractually obligated to respond on our behalf to any bodily injury losses unless they result specifically from our own operations.* If the renter carries insufficient or inadequate coverage, responsibility for the injured party could fall to the Community Centre. Injuries to the participants and spectators at these events are not uncommon and do not necessarily arise out of the sporting match.

The City's Risk Management department has determined the appropriate levels required for complete transfer of risk on this type of activity. We are not restricting these events from ever taking place in Community Centres, only advising, educating and making sure that the promoter carries all of the risk associated with the event. To avoid any exposure to the City and the Community Centres including directors, officers, volunteers and employees, our recommendation is for \$5,000,000 General Liability limits to be carried. This evidence must show the City of Winnipeg as an additional insured, contain a Cross

Liability or Severability of Interest Clause, and confirmation that injury to Participants is not excluded.

Coverage for participants may be evidenced by a separate coverage other than the liability insurance.

Liability Release and Indemnity Form

The Liability Release and Indemnity Form is for the use of low risk events such as craft sales, flea markets, bake sales etc.

If the event is being run by a 3rd party they are required to sign a Facility Use Agreement as well as the Liability Release and Indemnity Form. Participants renting a table are also required to sign the Liability Release and Indemnity Form.

If the event is being run and operated by the community centre, the centre is responsible to have each participant renting a table to sign the Liability Release and Indemnity Form (*see Appendix*).

Worker's Compensation Coverage

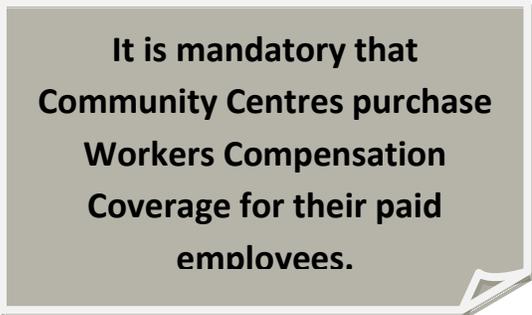
The City of Winnipeg is not considered the Employer of Record and therefore not entitled to purchase coverage on behalf of the Community Centre employees.

Employees of Community Centres are not automatically covered by provincial legislation as they fall into a non-profit organizational category and therefore not within a mandatory class.

Given the protection and benefits afforded workers by provincial legislation under the Workers Compensation Board of Manitoba, and the need to protect both the City of Winnipeg and Community Centres from liability exposure, it is mandatory to purchase this for any and all paid employees. If Workers Compensation coverage is not purchased, Community Centre employees could sue the Community Centre and the City in the event of an accident.

In addition to no-fault benefits, workers compensation coverage affords peace of mind for the employees and their families, as well as their employers and the City of Winnipeg.

The Workers Compensation Board of Manitoba provides no fault accident coverage (benefits are provided regardless of who is at fault i.e. employer, employee, or both) paying such things as wages, prescriptions, chiropractic costs, medical devices, etc. Negligence is not an issue, benefits flow immediately and death benefits/pensions are



**It is mandatory that
Community Centres purchase
Workers Compensation
Coverage for their paid
employees.**

provided. As a final note, employees covered under WCB cannot sue their employer thereby limiting the controversial aspect of any claim.

Volunteers are not paid, and therefore are not eligible for WCB coverage. Volunteers do have limited coverage under the City's Volunteer Accident Policy, the exposure is minimal and the City's current coverage appears to be adequate.

10.0 Employer-Employee Relationship

General Information

Employer-Employee Relationships

You are generally considered to be an employer if:

- You pay salaries, wages (including advances), bonuses vacation pay, or tips to your employees, or
- You provide certain taxable benefits or allowances, such as board or lodging, to your employees.

An employer-employee relationship exists if you are in a position to control and direct the person or people who perform the services. Although a written contract might indicate that an individual is self-employed, CRA may not consider the individual as such if there is evidence of an employer-employee relationship.

If you have any doubt whether an employer-employee relationship exists, you can also get a ruling from Revenue Collections at any tax services office by completing Form CPT1.

What are Your Responsibilities as an Employer?

You are responsible for deducting, remitting, and reporting payroll deductions. You also have responsibilities in situations such as hiring an employee, when an employee leaves or if the business ceases operations.

The following are responsibilities the employee must follow:

- Open and maintain a payroll deductions account with the Canada Revenue Agency.
- Get your employee's Social Insurance Number (SIN). Every employee must show you his or her SIN card to work in Canada.
- Obtain a completed federal TD1 and a provincial TD1.
- Deduct CPP contributions, EI premiums, and income tax from remuneration or other amounts you pay. You should hold these amounts in trust for the Receiver General for Canada and keep them separate from the operating funds of your business.
- Remit these deductions along with your share of CPP contributions and EI premiums.
- Report the employee's income and deductions on the appropriate T4 or T4A slip. You must file an information return by the end of February of the following calendar year.
- Complete and issue a *Record of Employment* when an employee leaves.
- Keep records. You must keep records of what you do as officers can ask to see them. You have to keep books and records for at least six years. However, if you want to

destroy them before the six year period is over, complete Form T137. You can get this form at any tax service office or tax centre, or online.

Tax forms and circulars are available on the Canada Revenue Agency's website
at www.cra-arc.gc.ca

CPP and EI Deductions

You are responsible for deducting, Canada Pension Plan (CPP) or Quebec Pension Plan (QPP) contributions, and Employment Insurance (EI) premiums and income tax from your employees' remuneration. You are also responsible for remitting this money to the Receiver General (CRA) at regular intervals, usually on or before the 15th day of the month following the month in which you deducted it.

For example, if you make your deductions from an employee's remuneration on May 10, you then have to remit the money to CRA on or before June 15. If June 15 is a Saturday, a Sunday, or a holiday, the remittance is due on the next open business day following this date.

If your payment is late, CRA may apply a late-remitting penalty.

The following topics can be found on the Canada Revenue Agency's website:

- [Canada Pension Plan \(CPP\) / Quebec Pension Plan \(QPP\)](#)
- [Employment insurance \(EI\)](#)
- [Payroll deductions - Income tax](#)
- [Workers' Compensation](#)

Social Insurance Number

As an employer, you have to get the correct SIN from each employee. If the employee does not give you his or her SIN, you should be able to show that you made a reasonable effort to get it. For example, if you contact an employee by mail to ask for his or her SIN, be sure to record the date of your request and keep a copy of any correspondence that relates to it. CRA considers this to be reasonable effort. If you do not make a reasonable effort to get a SIN, you may be subject to a penalty of \$100 for each failure. Employees also have to give you their SIN. If an employee does not do this, the employee may be subject to a penalty of \$100 for each failure.

Under the CPP Regulations, you have to tell your employees how to get a SIN or how to replace a SIN card. Refer them to their local Human Resources Centre of Canada (HRCC)

office within three days of the day they start work and ask them to provide you with their new SIN once they receive it.

Every person employed in pensionable or insurable employment has to show their SIN card to their employer. Always use the correct name and number as shown on the employee's SIN card. An incorrect SIN can affect an employee's future CPP benefits if the record of earnings file is not accurate. Also, if you report an incorrect SIN on a T4 slip that has a pension adjustment (PA) amount, the employee may receive an inaccurate annual RRSP deduction limit statement. In addition, the related information on the employee's Notice of Assessment will be inaccurate.

When an employee has an interruption in earnings, you have to record the correct SIN on a *Record of Employment* for EI purposes. If you don't, you could be fined up to \$2,000, imprisoned for up to six months, or both.

Note: Until such time you receive your employee's SIN, you still have to make deductions and file your information no later than the last day of February. If you do not, you may be subject to a penalty for late filing. If you filed a T4 slip without a SIN but subsequently received it, file an amended T4 slip and include the SIN.

What are the Receiver General Remittance Due Dates?

Generally, regular remitters have to send in deductions so CRA receives them on or before the 15th of the month that the deductions are made. Payments can be made at a Canadian financial institution or tax centre.

For more information about remitting deductions, refer to the employer's guide called *Remitting Payroll Deductions*.

Director's Liability

If a corporation (including for-profit or non-profit corporation) fails to deduct, withhold, remit, or pay amounts held in trust for the Receiver General for Canada (CPP, EI, tax and GST/HST), the directors of the corporation at the time of the failure may be held personally liable along with the corporation to pay the amount due. This amount includes penalties and interest.

However, if the directors take action to ensure the corporation makes the necessary deductions or remittances, CRA will not hold the directors personally responsible.

For more information, refer to Circular 89-2, *Directors' Liability – Section 227.1 of the Income Tax Act and Section 323 of the Excise Tax Act*.

Penalties and Interest

Penalties – Failure to deduct or remit CPP, EI and Tax amounts

CRA can assess you a penalty of 10% up to 20% of the amount you failed to withhold or remit the first time that:

- CRA receives the withheld amounts past the due date;
- You withhold the amounts, but do not remit them

Waiving Penalties and Interest

The fairness provisions of the Income Tax Act give CRA certain discretion to cancel or waive all or part of interest charges and penalties. For more information, refer to Information Circular 92-2, *Guidelines for the Cancellation and Waiver of Interest and Penalties*.

Payroll Deductions Tables

The payroll deductions tables have information to help you calculate CPP contributions, EI premiums, and the amount of federal and provincial income tax that you have to withhold from amounts you pay.

What Should You do if an Employee Leaves?

CRA suggests that you calculate the employee's earnings for the year to date, and give the employee a T4 slip. Keep the CRA copy of the slip and include it with your T4 Summary when you file it by the last day of February of the following year.

In addition, you have to prepare a *Record of Employment (ROE)* for each former employee. For more information, see the section on ROE's.

Registering for a Payroll Deduction Account

You need to register for a payroll account if:

- You pay salaries or wages
- You pay tips and gratuities
- You pay bonuses and vacation pay
- You provide benefits and allowances to employees; or
- You need to deduct and remit amounts from other types of remuneration (such as pension or superannuation).

If you need a payroll account and you already have a Business Number (BN), you only need to add a payroll deductions account to your existing BN. However, if you don't have a BN,

you must request one and register for a payroll account before your first remittance due date.

For information on the BN and CRA business accounts or register on-line, please go to www.cra.gc.ca/bn.

Payroll Tables: Payroll deductions tables for all provinces are available at www.cra.gc.ca/payroll or by calling 1-800-959-2221 or by downloading TOD: www.cra.gc.ca/tod.

Record of Employment

Establishing the Number of Insurable Hours for Record of Employment Purposes

Hours of work are used to determine if workers are entitled to benefits and for how long. Employers have to keep records of and report total hours of insurable employment for the last 53 calendar weeks (or less if the period of employment is shorter).

The number of insurable hours is determined as follows:

For an employee who is paid hourly – The number of insurable hours is the number of hours actually worked and paid.

For an employee who is not paid hourly – If the employer knows the number of hours that the employee actually worked and for which he or she was paid, CRA considers the employee to have that number of insurable hours. For example, an employee who is paid on an annual basis but whose employment contract specifies 32 hours as the usual hours of work per week would be credited with 32 insurable hours.

If the employer does not know the actual number of hours worked, the employer and the employee can agree on the number of insurable hours for which he or she is paid. For example, an agreement on hours on the value of piecework would determine the number of insurable hours. However, if no contract of agreement on hours exists or can be reached, CRA determines the number of insurable hours by dividing the insurable earnings by the minimum wage. The result cannot be more than seven hours per day or 35 hours per week.

EI and the Record of Employment

You have to complete a *Record of Employment* when an employee stops working for you (this is considered an interruption of earnings). This happens when the employment ends

or an employee leaves because of pregnancy, injury, illness, adoption leave, layoff, leave without pay or dismissal.

For full details on the ROE, see the guide called *How to Complete the Record of Employment (ROE) Form*, which is available from any Human Resources Centre of Canada.

Any HRDC publications may be obtained at your local government of Canada EI office or on the following website.

www.servicecanada.gc.ca

The Record of Employment and its Importance (ROE)

The ROE is the single most important document in Employment Insurance (EI). Service Canada uses the information on the ROE to determine whether a person qualifies for EI benefits, the benefit rate and the duration of his/her claim. The ROE also plays an important role in controlling the misuse of EI funds. A ROE must be issued even if the employee has no intention of filing a claim for EI benefits.

When to Issue a Record of Employment

Generally, a ROE must be issued within (5) calendar days of the interruption of earnings or the day the employer becomes aware of the interruption.

When Does an Interruption Occur?

An interruption of earnings occurs when:

- An employee quits
- An employee is laid off or terminated
- An employee has had (within 52 weeks or since the last ROE), or is anticipated to have 7 consecutive calendar days without both work and insurable earnings from the employer.

An interruption of earnings also occurs when the salary falls below 60% of normal weekly earnings due to illness, injury, quarantine, pregnancy, the need for parent to care for either newly born or adopted children, or the need to provide care or support to a family member who is gravely ill with a significant risk of death.

In all cases, a ROE must be issued when requested by Service Canada.

The following is an exception to this five-day rule:

For part-time, on-call or casual workers, the ROE may not be issued each time there is an interruption of earnings, however, it must be issued in the following circumstances:

- The ROE is requested by the employee and an interruption of earnings has occurred.
- The employee is no longer on the employer's active employment list.
- The ROE is requested by Service Canada.
- If no work performed or earnings for 30 days and there are no insurable earnings for that period.

Establishing Insurable Hours

You have to keep records of the total hours of insurable employment, so if there is an interruption of earnings, the hours of work of the last 52 consecutive weeks (or less if the period of employment is shorter) will be used to determine whether the workers are entitled to benefits and for how long.

If an interruption of earnings occurs, you have to report these hours on the ROE.

To determine the number of insurable hours, follow these instructions:

- **For an employee who is paid hourly** – The number of insurable hours is the number of hours actually worked and paid.
- **For an employee who is not paid hourly** – If the employer knows the number of hours that the employee actually worked and for which he or she is paid, CRA considers the employee to have that number of insurable hours. For example, an employee who is paid on an annual basis but whose employment contract specifies 32 hours as the usual hours of work per week would be credited with 32 insurable hours. **Note:** If the employer does not know the actual hours worked, the employer and employee can agree on the number of insurable hours of work for which he or she is paid. For example, an agreement on hours on the value of piecework would determine the number of insurable hours. However, if no contract or agreement on hours exists or can be reached, we determine the number of insurable hours by dividing the insurable earnings by the minimum wage. The result cannot be more than seven hours per day or 25 hours per week.
- **Overtime** – One hour of overtime work equals one hour of insurable employment, even if the rate of pay is higher.
- **Worker called in to work** – The number of insurable hours equals the number of hours paid.
- **Public holiday** – One hour of work on a public holiday equals one hour of insurable employment, even if the rate of pay is higher.

- **Paid leave** – One hour of vacation time taken, paid sick leave, or compensatory time off is considered to be one insurable hour.
- **Remuneration paid with no hours attached** – An employee who receives vacation pay without taking any leave does not generate any insurable hours. This also applies to such remuneration as bonuses, gratuities, lieu of notice payments, and retiring allowances. Payments of banked overtime is subject to EI premiums, however there are no insurable hours attached to the payment if the employee is not taking time off.

How to Obtain More Information

If you have other ROE enquiries, you may call a ROE Assistance person at:

- English: 1-800-663-0983
- French: 1-800-342-2983

Worker's Compensation Board (WCB) Benefits and Services

Registering your Business with the WCB

In most cases, workers' compensation coverage is mandatory if you employ workers. To confirm if your business requires workers compensation coverage or not, call the Registration Unit in Winnipeg at 204-954-4775. Unit staff will be pleased to assist you with your questions. Registrations can usually be done right over the phone.

There are two registration formats an employer can choose from:

1. Annual registration – employer provides an estimate of their worker's earnings for the calendar year. If the employer's assessment is more than \$500, they automatically qualify for three installment payments: 40% of the yearly assessment within one month of registration, 30% on August 31st; and 30% on October 31st.
2. Quarterly Actual registration – employers who have assessable workers' earnings of \$50,000 or more are eligible to report workers earnings quarterly. The employers Quarterly Remittance form and accompanying payment are due as follows: January 20, April 20, July 20 and October 20.

No-Fault Compensation

With no-fault compensation, benefits are paid to injured workers whether or not negligence on the part of the worker or employer contributed to the accident. The injured worker may be eligible for compensation for the duration of the injury's impact on the worker's employment.

No Right of Action

According to this principle, workers give up their right of legal action in return for certainty of compensation. A worker injured in the course of employment cannot sue his or her employer for damages.

The inability to sue relieves both employers and workers from having to engage the costly and time consuming court battles that took place prior to Workers' Compensation legislation.

However, if there is third party involvement in an accident causing injury to a worker, the worker may have the right to decide to sue the third party involved or receive compensation benefits. If the worker chooses compensation benefits, the Workers Compensation Board may proceed with a suit against the third party in order to recover losses. Any money recovered over and above the workers compensation costs is paid directly to the worker.

Exclusive Jurisdiction

The WCB retains exclusive jurisdiction of authority when deciding matters under legislation. However, a worker or employer who disagrees with a Workers' Compensation Board decision may appeal that decision through the appeal process.

Universal Coverage

Workers Compensation in Manitoba currently covers 60% of employers and 70% of workers. All industries are included within compulsory workers compensation coverage unless the industry is on the list of excluded industries. Employers in excluded industries may apply for voluntary coverage.

Collective Liability

All costs associated with the compensation system are covered through the levies on employers. All employers in covered industries share financial responsibility for the benefits paid to injured workers, as well as medical aid and administration costs.

Employee or Self-Employed?

How to Determine a Worker's Employment Status

To determine if a worker is an employee or self-employed, examine the relationship between the worker and the payer by considering the factors included below.

To help make a determination, we give an explanation for each factor and show some indicators that the worker may be an employee or a self-employed individual.

The importance of each factor depends on the circumstances of each situation. All factors must be considered in the context of the relationship as a whole. The objective is to determine the nature of the overall relationship between the worker and the payer.

1. Control

Control is the ability, authority, or right of a payer to exercise control over a worker concerning the manner in which the work is done and what work will be done.

a) Indicators that the worker is an employee:

- The relationship is one of subordination. The payer will often direct, scrutinize, and effectively control many elements of how the work is performed.
- The payer controls the worker with respect to both the results of the work and the method used to do the work.
- The payer determines and controls the method and amount of pay. Salary negotiations may still take place in an employer-employee relationship.
- The worker requires permission to work for other payers while working for the payer.
- Where the schedule is irregular, priority on the worker's time is an indication of control over the worker.
- The payer determines what jobs the workers will do.
- The worker receives training or direction from the payer on how to do the work. The overall work environment between the worker and the payer is one of subordination.
- The payer chooses to listen to the worker's suggestion but has the final word.

b) Indicators that the worker is a self-employed individual:

- A self-employed individual usually works independently within a defined framework.
- The worker does not have anyone overseeing them or watching their every move.
- The worker is usually free to work when and for whom he or she chooses and may provide his or her services to different payers at the same time.
- The worker has the ability to accept or refuse work from the payer.
- The working relationship between the payer and the worker does not present a degree of continuity, loyalty, security, subordination, or integration, all of which are generally associated with an employee-employer relationship.

2. Tools and Equipment

Consider if the worker owns and provides tools and equipment required to accomplish the work.

Self-employed individuals often supply the tools and equipment to complete a contract. As a result, the ownership of tools and equipment by a worker is more commonly associated with a business relationship.

However, employees can also be required to provide their own tools. The courts have acknowledged that a worker being required to provide their own tools of the trade does not, by itself, place that worker in the status of a self-employed individual.

a) Indicators that the worker is an employee:

- The payer supplies most of the tools and equipment required by the worker. In addition, the payer is responsible for repair, maintenance, and insurance costs.
- The worker supplies the tools and equipment and the payer reimburses the worker for their use.
- The payer retains the right of use over the tools and equipment provided to the worker.

b) Indicators that the worker is a self-employed individual:

- The worker provides the tools and equipment required for the work. In addition, the worker is responsible for the costs of repairs, insurance, and maintenance to the tools and equipment.
- The worker has significant investment in the tools and equipment and the worker retains the right over the use of these assets.
- The worker supplies his or her own workspace and is responsible for the costs to maintain it, and performs substantial work from the site.

3. Chance of Profit/Risk Loss

Generally, in an employer-employee relationship, the employer alone assumes the risk of loss. The employer also generally covers operating costs, which may include office expenses, employee wages and benefits, insurance premiums, delivery and shipping costs. The employee does not assume any financial risks, and is entitled to his full salary or wages regardless of the financial health of the business.

In a business relationship, the self-employed individual may make a profit or incur a loss. He also covers operating costs. There is no guarantee of a steady income because a self-employed individual's income depends on the results achieved by the end of the contract.

Responsibilities

Employer – Employee Relationship

Where an employer-employee relation exists, the employer must:

- Register for a Canada Revenue Agency (CRA) Business Number (BN)
- Withhold income tax, Canada Pension Plan (CPP) contributions, and Employment Insurance (EI) premiums on amounts paid to the employee.
- Remit the amounts withheld as well as the required employer's share of CPP and EI premiums to CRA
- Report the employee's income and deductions on the appropriate information return, and
- Give the employee copies of their T4 slips by the end of February of the following calendar year.
- The employer is also responsible for registering with the relevant provincial organizations, i.e. Workers Compensation Board.

Business Relationship

Self-employed individuals must pay both shares of CPP contributions. They may also have to pay their income tax and CPP contributions in installments. Generally, self-employed individuals are not eligible for EI benefits.

Refer to www.cra-arc.gc.ca for more information.

Employment Standards

Employment Standards is a government program under Manitoba Family Services and Labour. It administers laws on minimum wages, hours of work, holidays and other workplace entitlements and responsibilities. The program enforces *The Employment Standards Code*, *The Construction Industry Wages Act*, *The Remembrance Day Act*, *The Worker Recruitment and Protection Act* and *The Retail Businesses Holiday Closing Act*. It also investigates complaints about violations of these laws.

For more information, contact Employment Standards:

Phone: 204-945-3352; or toll free in Canada 1-800-821-4307

Fax: 204-948-3046

E-mail: employmentstandards@gov.mb.ca

Website: www.manitoba.ca/labour/standards

This website provides a general overview; the information used is subject to change. For detailed information, please refer to current legislation including *The Employment Standards Code* and *The Worker Recruitment and Protection Act*, or contact Employment Standards to ask for advice.

Volunteer/Employee Code of Conduct

Volunteers and employees must observe the highest standards of conduct in the performance of their duties, regardless of personal consideration. The public interest must be their primary concern. Their conduct in their official affairs must be above reproach at all times.

Volunteers and employees must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of a Community Centre in their dealings with persons doing or seeking to do business with the City.

Volunteers and employees must not engage in any conduct or activity that contravenes any law in force in Manitoba, including City By-laws, which might detrimentally affect the Community Centre's reputation, make the volunteer/employee unable to properly perform his or her volunteer/employment responsibilities, cause other volunteers/ employees to refuse or be reluctant to work with the volunteer/employee, or otherwise inhibit the Community Centre's ability to efficiently manage and direct its operations.

Please see Appendix for more information on the City of Winnipeg Community Centre Volunteer/Employee Code of Conduct.

Community Centre Respectful Environment Policy

The Community Centre is responsible for providing members with a Respectful Environment free from discrimination, harassment, disruptive conflict and violence. This includes: Sexual harassment and harassment based on ancestry, race or ethnic or national origin, colour, religion, age, sex, marital status, family status, physical or mental disability and sexual orientation.

Please see Appendix for more information on the Community Centre Respectful Environment Policy.

11.0 Workplace Safety and Health

It is important to note that the Manitoba Workplace Safety and Health Act and Regulations apply to employers, not for profit and volunteer organizations. As most of the City Community Centres employ one or more employees, we have designed a new Community Centre Workplace, Safety and Health Manual available for viewing on the GCWCC website. Hard copy has also been provided to each Centre.

This Manual outlines the main steps to develop and implement a system to ensure that the centre is a safe and healthy workplace; as well as providing a safe environment for the volunteers and participants.

For additional information, reference the Workplace Safety and Health Division publications, “A Guide to Setting up a Safety and Health Program” and “Elements of a Safety and Health Program” at www.gov.mb.ca/labour/safety.guidelines.html.

12.0 Job Descriptions

The Importance of a Volunteer Job Description

What is a Job Description?

It is a clear written description of exactly what the job is. *(Please see Appendix for a Volunteer Position Description Sample and Application Form).*

Are Job Descriptions Necessary?

Most definitely! Volunteers can only complete a job if they know exactly what the requirements are. Every position in a volunteer organization should have a job description.

What are the Benefits of Job Descriptions?

- Prevents inappropriate use of a volunteer
- Allows a volunteer to make a commitment to something they clearly understand in terms of responsibility and time.
- Provides a fair and honest means of evaluating the volunteer on the basis of the tasks he/she is expected to perform
- Aids in recruiting volunteers because it details duties and skills required; with this information it is easier to determine who to approach and how to approach them
- Assists in determining volunteer training needs (a volunteer may acquire the skills necessary for the job through appropriate training)
- Gives visibility/credibility to your program
- Acquaints the volunteer with the function and purpose of your organization.

Importance of Job Descriptions

Every position in a volunteer organization should have a job description. The reasons are:

- Job descriptions define the organization's expectations of the position.
- Job descriptions provide a useful tool to serve as an initial orientation for the volunteer.
- Job descriptions provide a handy reference for the volunteer throughout the term of service
- Job descriptions define clearly and concisely what the duties and responsibilities of the position, thus also forming the basis of a means of evaluating the performance of the volunteer. It also gives the volunteer a base from which to measure his/her progress.

- Job descriptions add structure to volunteer programs. In other words, you are not involving them. There are specified reasons and methods for their involvement. Also, this can provide the beginning of a structured record keeping system.

Job Descriptions Should Include the Following Information:

- Title of the positions
- Duties and responsibilities
- Requirements (e.g. Skills, knowledge, experience)

They may also include:

- Benefits
- Term
- Time commitment
- Financial commitment

Preparing a Job Description

1. The first step in preparing a job description is the planning process. Make sure you are familiar with your organization, its goals, objectives, activities, policies, the needs it is unable to meet. Research what other similar organizations are doing in the volunteer field.
2. The second step in preparing a job description is the writing phase.

The job description is written based on conversations with staff. Keep in mind what motivates people to volunteer when preparing your job description. Are you preparing something that will interest volunteers?

A job description should tell the volunteer what they will be doing, duties, and responsibilities' why they are doing it, how it relates to the agency or organizations; and how the work is to be done.

Format Your Job Description

1. **Job Title:** Finding a catchy job title is one of the hardest tasks. Be careful that the title doesn't demean the volunteers but also doesn't describe a staff person's job.
2. **Purpose:** Why is the volunteer involved? How does the volunteer's work relate to the organization's services and/or needs? How does the volunteer fit into the objectives of the organization? This section should contain a very broad general statement describing the role of the volunteer.

3. **Duties and Responsibilities:** What will the volunteer be doing? Further details on duties and responsibilities can be found under “Community Centre Duties of Officers.”
4. **Time Requirements:** If possible, define the maximum and minimum time commitment required (days, hours). You may want to decide specific times based on volunteers’ schedules but you would state how much time would be required and the length of the volunteer’s commitment (six months, one year, etc.)
5. **Skills or Qualifications:** What characteristics or skills are needed to fulfill the job responsibilities? Required skills may be very qualitative (e.g. interest in the ability to work with people of diverse economic or ethnic backgrounds) or quantitative (e.g. volunteers must have access to a car, must be a certain age, must have demonstrated planning or recreations or training skills, etc.).
6. **Orientation and Training:** Provide a brief description of amount and type of orientation to be provided. If possible, include who will provide it (resource people) and when it will be provided. If volunteers have to attend orientation and training, list this information under duties and responsibilities.
7. **Accountability:** note who will supervise the volunteer and to whom the volunteer is accountable. If the volunteer is accountable to both a staff person and to a Volunteer Coordinator, distinguish what the difference is between the two roles. Some job descriptions include what benefits a volunteers can expect from the position. (i.e. listing skills that can be developed, exposure to agency operation, training, etc.)

Please see Appendices for Sample Duties of Officers.

Committee Descriptions (Examples)

Fundraising/Communications Committee

Purpose: To identify and review all special fundraising proposals; supervise and coordinate all fundraising activities; develop and think out new proposals and directions for the Centre; report to the Board at regular monthly meetings.

Finance Committee

Purpose: Reviews overall financial positions of Board, makes reports and recommendations to the Board, including preparation of annual operating budget and management of capital funds. Ensures audit process and risk management process.

House and Property Committee

Purpose: Advises Board on matters pertaining to the management, upkeep and use of the building equipment and grounds operated by the Centre and recommends priorities to the Board.

Nominating Committee

Purpose: Reviews needs and skills of Centre for effective long range operation of the Centre and actively recruits suitable individuals from the membership to fulfill these needs.

Volunteer Committee

Purpose: Identifies the needs for volunteers and where they are needed within the organization. Actively recruits suitable individuals to fulfill the needs. Develops a volunteer job description that the Board approves.

Staff Relations Committee

Purpose: Recommends personnel policies, establishes labour negotiating mandate, reviews ongoing labour issues and reports to the Board on personnel issues.

Social/Special Events Committee

Purpose: Plans, supervises and coordinates social or special occasions. Reports to the Board at regular meetings.

Job Description for Board Committees

The Board Committee Chairperson

The Board creates committees to help do its work. Effective committees require effective chairpersons. A careful job description helps the chairpersons do their best work for the organization.

The number and terms of reference for Board committees will vary, depending on the size and nature of the organization. You must decide which committees your organization needs. Finance and Nominating Committees are common Board committees.

Board committees are chaired by Board members. However, these committees may be composed of members of organizations and community representatives who are **not** Board members.

What Might a Board Committee Chairperson do?

- Reviews the terms of reference and mandate of the committee as outlined by the Board.
- Recruits an appropriate number of committee members to carry out the mandate.
- Orients members to the committee's mandate and position in the organization.
- Calls committee meetings and develop agendas with the input of the members.
- Chairs committee meetings
- Encourages members to participate
- Keeps discussions on topic by summarizing issues.
- Guides the committee through its meetings to fulfill the committee's purpose
- Recognizes each member's contribution to the committee's work.
- Delegates appropriate tasks to individual committee members.
- Plans and evaluates the committee's work with the help of the members.
- Makes sure meeting minutes and other relevant information are recorded and filed.
- Reports the committee's progress to the Board of Directors and the membership on a regular basis.
- Orients the new Board committee chairperson.

Sample Job Descriptions for various staff positions can be found in the Appendix.

13.0 Permits, Licences and By-laws

Policy for Community Centre Fundraising Activities

Community Centres are no longer required to have a Province of Manitoba Civic Charities License. This policy has been repealed.

However, it is still considered good practice to develop an internal policy for group fundraising activities.

A sample Community Centre Policy for Fundraising Activities can be found in the Appendix.

Outdoor Smoking By-Law

The City of Winnipeg prohibits smoking in certain outdoor areas, including:

- Within 30 metres of the playing surface of an athletic field or a hockey rink during a youth event
- On a playground
- Within 30 metres of a swimming pool, wading pool, spray pad or spray park owned by the City of Winnipeg
- Within 8 metres from an outdoor entrance providing direct access to the Community Centre.

Please see Appendix for a complete version of Outdoor Smoking By-Law.

Food Service Establishment By-law

No person shall operate a food service establishment without having a valid permit from the Public Health Inspector. The receipt and retention of a permit shall be conditional upon compliance with the Food Service Establishment By-law.

The permit shall be renewed annually and may be suspended or withheld by the Public Health Inspector where any provision of this by-law is found to have been violated.

No person shall operate a food service establishment unless the permit is posted in a conspicuous location.

Food Handler Training Program

In accordance with the City of Winnipeg Food Services By-law: No person shall operate a food service establishment unless the person in charge has successfully completed the Certified Food Handler Training Program.

Food Service Establishments with less than 5 Food Handlers must have a person on staff who has successfully completed the Certified Food Handler Training Program.

Food Service Establishments with more than 5 Food Handlers working at any one time must have a person who has successfully completed the Certified Food Handler Training Program ON DUTY at all times.

Who Should Attend?

- All owners, managers and supervisors of food service establishments.
- All food service personnel who are responsible for the receiving, preparing and serving of food.

For further information on the Food Service Establishment By-law and a schedule of Food Handler Training Programs, please go to www.foodhandling.ca

Fireworks/Fire pit Application Process

Any Community Centre wishing to hold a fireworks display or have fire pits on City of Winnipeg property, must obtain the appropriate permits through the Fire Prevention office or local fire hall, depending on the type of fireworks to be displayed.

1. Community Centres wishing to have fireworks displays or fire pits, should contact their Community Centre liaison, to obtain the necessary approval/permission for events held on City of Winnipeg owned property.
2. Community Centre liaison will determine the type of event being held (high hazard fireworks, low hazard fireworks or a fire pit) and obtain written approvals from the necessary department (i.e. Public Works Department, Parks and Open Spaces Division).
3. Community Centre liaison will provide the applicant (Community Centre contact person) with two (2) signed approval/permission letters. (One copy to be provided to the Fire Hall/Fire Prevention Office, the other copy for the applicant's file).
4. For Low Hazard fireworks displays (those fireworks that can presently be purchased by consumers in Winnipeg retail outlets), the applicant will take the completed approval/permission letter to any City of Winnipeg Fire Hall, or the Fire prevention Office (2nd Floor – 185 King St.) to obtain their permit.
5. For High Hazard fireworks (those fireworks that can only be purchased/displayed by licensed contractors, and unavailable to consumers), only licensed contractors are allowed to make application for this type of permit. The Community Centre contact will provide their contractor with a copy of the approval/permission letter to the Fire prevention Office (2nd Floor – 185 King St.) to obtain the necessary permit.

6. For an open air Fire Permit (Bonfire/Fire Pit), permits may be applied for at the Fire Department – Fire Prevention Branch, located at 2nd Floor, 185 King St. between the hours of 8:30 a.m. and 4:00 p.m.

For more information, please go to <http://www.winnipeg.ca/Services/permits/>

Special Events Permit

To determine whether your event requires a permit, please go to the above website.

Temporary Food Establishment Permit

Special events may require a temporary food establishment licence. Depending on the scope of your food service, you will need to secure:

1. A temporary food establishment license application from Community Services. The application needs to be submitted **at least two calendar weeks prior to you event.** (*See Appendix for application.*) You may qualify for a waiver of the license fee – please submit a request for same with your application. If you have any questions regarding the business license form or fee waiver request letter, please call the By Law Enforcement Branch at 204-986-2234.
2. A health permit from Manitoba Health, and the special event health permit application needs to be submitted **at least two calendar weeks prior to you event.** As well, you will need to comply with their special event sanitation guidelines. (*See guidelines and application in Appendix.*) If you have any questions regarding Manitoba Health’s guidelines or requirements, please call (204) 940-8530.

For more information, please go to <http://www.gov.mb.ca/health/publichealth/environmentalhealth/protection/food.html>

Manitoba Petty Trespasses Act

Trespassing offence

Subject to subsection (2), (3), (4) and (5) of the Petty Trespass Act, states that any person;

- (a) who unlawfully enters or in any way trespasses upon lands or premises that are the property of another and are wholly enclosed; or

(b) who enters or in any way trespasses upon lands or premises that are the property of another and are not wholly enclosed, after being requested by the owner, tenant or occupier not to do so, or who, having entered the lands or premises or committed the trespass, refuses to leave upon being requested by the owner, tenant or occupier to do so;

Is guilty of an offense, whether or not any damage has been occasioned by the entry or trespass, and is liable on summary conviction to a fine.

See Sample Suspension letters in the Appendix.

14.0 LIQUOR AND GAMING AUTHORITY OF MANITOBA (LGA) REGULATIONS (Formerly MGCC and MLCC)

Introduction

The Liquor and Gaming Authority of Manitoba (LGA) is the new regulator for liquor and gaming in Manitoba. As of April 1, 2014, the regulatory services previously provided by the Manitoba Liquor Control Commission (MLCC) and the Manitoba Gaming Control Commission (MGCC) have been brought together.

Gaming

Listed below are the gaming schemes that are licensed and registered by the LGA. Community Centres are responsible for obtaining applicable licenses and permits. For further information on Application and the Terms and Conditions of these events, you may refer to www.LGAmanitoba.ca or 204-954-9450.

- Raffle (prize value of over \$5,000), including 50/50, silent auction, cash calendars
- Raffles (price value under \$5,000)
- Bingos
- Media bingos
- Break-open tickets
- Monte Carlo
- Sports draft
- Calcutta auctions
- Lottery scheme at a public place of amusement (midways)

It is **strongly** recommended that all Community Centres adopt a written policy on community centre fundraising events.

All committees, sports teams, programs, etc. must comply with the terms and conditions of the individual fundraising events.

Changes to the Liquor Regulations

One of the more significant changes to the liquor regulations is the removal of bottle and brand limits for social occasion permits and, as of April 1st, 2014 the LGA will no longer monitor the quantity of liquor at a social occasion permit event. **However, Community Centres do have the right to develop their own policy regarding the limit of alcohol that can be brought in for social occasions.** The Community Centre is responsible to inform the person(s) renting their space of the policy, and the policy must be clearly stated

on the Centre's Hall Rental Agreement. Centres may follow the guideline previously enforced by the MLCC, or enforce their own guidelines.

A Guide to Duties and Responsibilities for Banquet Hall Owners or Operators

As an owner, or the person or persons in charge, it is your responsibility to ensure that occasional permit functions held in your banquet hall are conducted in accordance with ***the Liquor Control Act***, Regulations, and the terms and conditions under which permits are issued.

The information is intended to serve as a guide to ensure that the functions for which you are responsible run trouble-free. We will list the "do's and don'ts" with respect to provincial legislation; and offer some suggestions regarding control measures which have proven to be very effective.

If you are approached to host or sponsor a large event such as a festival or sports tournament, contact Inspection Services first because special rules and regulations may pertain. Advance planning is the key to a successful event!

Representatives from the Manitoba Tourism Education Council (MTEC) are available to assist you with "on site" seminars to anyone interested in having them come out to speak to executive committees or members. MTEC can also conduct a "*Serving it Safe*" responsible beverage server program for those involved in the sale and service of liquor.

If you have any questions or inquiries, please contact MTEC at (204) 957-7437.

For more information on Serving it Safe program, please go to
www.servingitsafe.ca

Duties and Responsibilities

1. Minors (persons under the age of 18 years) may attend, but are prohibited from purchasing, handling, serving or consuming liquor.
2. With the exception of approved community or charitable event functions, the general public shall not be permitted to a social occasion held under an occasional permit. No admission, by sale or tickets otherwise, shall be available to the public during the social occasions.
3. No liquor other than that purchased under the authority of the occasional permit shall be had, kept or consumed at the social occasions. No liquor can be accepted from liquor suppliers or their representatives for personal use or for use at the

function for which a permit has been issued. No home-made beer or wine is permitted at an occasional permit function.

4. Liquor may be served under the authority of an occasional permit only during the hours specified on the permit. Liquor may be consumed, but not sold or served, for an additional thirty (30) minutes after sale and service has terminated, and all liquor must be removed from the tables by the end of this time period.
5. Games of chance or gambling are not permitted, unless licensed by Manitoba Lotteries.
6. Intoxicated or disorderly conduct is not permitted.
7. Intoxicated or disorderly people cannot be served liquor.
8. Adult entertainment, nude performances are not allowed at occasional permit functions.
9. Owners and managers of halls may not directly benefit from the proceeds from the sale of liquor or admission tickets.
10. An occasional permit may be cancelled in the event of violation of the *Liquor Control Act* and Regulation.
11. The hall owner or their representative must be in attendance at all times during the function.
12. The hall owner or their representative must admit Inspectors and Police if entrance is requested.

Control Measures

The following measures have proven to be effective ways of controlling occasional permit functions:

- Banquet Hall Agreement
- Identifiable Security
- Informed Hall Representatives
- Bartenders provided by the hall owner
- Maximum service of two drinks per person at any one time
- Allowing minors to attend only family-oriented functions
- Using a hand-stamp system to distinguish minors from adults

You may wish to get all or some of them in place at your hall and, of course, individual circumstances may require changes or additions.

The following are suggestions and guidelines you may find helpful:

When renting the banquet hall:

Know the reputation of the person or group to whom you are renting – you are not obliged to rent to trouble makers!

Have all renters sign a hall rental agreement and leave a damage deposit with you.

Promote your hall as one that supports the Designated Driver Program. Materials are available through the LGA.

As you read earlier, a hall representative must be in attendance at all times during a permit function. Have your representative perform the following duties:

- Remind the permittee of his duties and responsibilities and that the function will be closely monitored – especially that if problems arise, the function may be closed down.
- Check the liquor inventory against the occasional permit to ensure only liquor listed on the permit is brought into the hall.
- Check to see that the permittee is selling drink tickets at the price listed on the occasional permit.
- Ensure tickets to attend the function are not being sold at the door (except for community or charitable events). Tickets are not to be sold once the function begins.
- Ensure liquor service ceases at the time listed on the occasional permit, and that conditional of the permit are abided by.
- Ensure the permittee promptly removes all leftover liquor from the hall.

Security

- Unauthorized liquor cannot be brought into the hall – be sure to watch people entering to make certain they do not have liquor in their possession.
- Government-issued photo identification is the only acceptable proof of age to assist ticket takers/sellers in checking the identification of all youthful-looking persons and ensure drink tickets or drinks are not sold to minors.
- Supervise the tables to maintain control of the hall- assist with clean-up of spills and check to see that no minors or intoxicated people are in possession of liquor.
- Circulate throughout the hall to deal with disagreements before they become fights – escort trouble-makers off the premises and ensure they do not gain re-entry to the hall.
- Ensure people leaving the hall do not have liquor in their possession.

Ticket sellers/Bartenders

- Have the bartender trained in responsible service by taking the “Serving it Safe” course.
- Limit the sale of drink tickets to four per person at any one time.
- Do not sell drink tickets to anyone who appears to be a minor, or who appears to be intoxicated.
- Check youthful-looking people for photo identification as proof of age.
- The bartender **must not** sell liquor to a minor or and intoxicated person – security should be called to deal with these people.
- Limit the service of drinks to two per person at any one time.
- Regularly pick up unconsumed drinks, empty containers, etc., from tables and clean up spills promptly.
- Have lots of non-alcoholic beverages on hand.
- Close the bar promptly at the time stated on the permit.
- Have all liquor removed from the tables 30 minutes after the sale of liquor has ceased.
- Promote the use of the designated driver program at the function.

Permittees

As a banquet hall owner or operator, you should be aware that the permittee shares some of your responsibilities for the manner in which occasional permit functions are conducted.

Please see next Section 15.0 for information on Proposed Guidelines for Community Centre Occasional Permits.

Duties of Bartenders

Sample Job Description

- Hours: 7:30 pm to closing, or any other hours as designated by the Centre.
- Ensure liquor permit is in place. Liquor permit must list the name of the permit holder for the event.
- No drinking of alcohol before start time of event as stated on contract and liquor permit.
- Supervise bar area and dispense all drinks including beer, in glasses. No bottles to be let out. Only bartenders are allowed in the bar area (except liquor inspectors/officials).
- Count out extra liquor left at the end of the evening, with the permittee.
- Replenish ice as required and replace mix tanks as required.
- Periodic patrols of the premises, inside and outside. Check washrooms and get a female to check the women’s washrooms.
- Ensure hall doors and main doors are closed for noise control.

- In the event of a disturbance, the bar is to be closed until the problem is over. If possible, assist the permittee to quell the disturbance. If all else fails, call the police. Document every detail of the incident to the best of your knowledge and notify the President.
- One bartender to close the bar and count the leftover liquor. The other bartender is to position him/herself at the front door and make sure that no liquor leaves the building. Also, try and move the people out of the parking lot and general area as quickly as possible.
- Announce the closing of the bar at least 15 minutes prior to closing time.
- Under any circumstances, do not consume liquor of any kind while on duty.
- Do not serve liquor to anyone they feel is under the legal age or under the influence of liquor.
- Ensure building is secure and that social guests remain in the social area.
- Following social activity, inspect hall for damages.
- Make sure to issue receipts for all transactions. Turn monies over to the Treasurer on a timely basis.

15.0 THIRD PARTY USE OF FACILITIES AND GROUNDS

Occasional Rentals

Proposed Guidelines for Community Centre Occasional Permits

For occasional rental of community centre facilities (e.g. socials):

- The rental fee will be \$ plus a damage deposit of \$. These fees are subject to change on recommendation by the Rental Committee and upon agreement of the Community Centre's Board of Directors. The rental fee will be reviewed by the Rental Committee throughout the calendar year.
- The damage deposit will be refunded upon verification that the premises were vacated without damage. Should any damage arising from the rental be assessed, the rentee shall be solely responsible for such damage costs.
- A Rental Agreement outlining the terms and conditions for rental must be signed by the rentee prior to the rental event.
See Sample Community Centre Rental Agreement in Appendix
- The following liability statement (taken from the Sample Community Centre Rental Agreement) must be included in all Hall Rental Agreements:

Liability Statement: By signing this Rental Application and Agreement, the Lessee agrees to assume the responsibility and legal liability for the above described event, and to abide by all the Conditions, Rules and Regulations printed on the back of the Application/Agreement. Additionally, the lessee agrees to indemnify, defend and hold harmless the Community Centre, General Council of Winnipeg Community Centres and the City from any and all claims for bodily injury or property damages that may arise out of or in connection with this Agreement and use of the premises. The Lessee has also reviewed, has agreed to all and initialed the Conditions, Rules and Regulations on the back of this agreement.

- Should a rental event be cancelled, a fee of \$ will be charged to the rentee, provided a (e.g. 60 day) notice of cancellation has been given.
- Should the Community Centre not provide security services, a security guard must be employed by the rentee and provide proof of same no later than one week prior to the event unless otherwise approved by the Rental Committee.
- No rental will be granted where the anticipated number of people exceeds the facility capacity as set forth under the regulations of the Manitoba Liquor Control Commission.
- All outside rentals must be coordinated with community activities and a record maintained of the rentee, date, event and amount charged. Community Centre activities or events have priority usage.

Facility Use Agreements

When a Community Centre grants approval to an outside group to use Community Centre facilities on a regular basis, it is the Community Centre's responsibility to direct the group to the Community Centre Area Liaison to apply for a Facility Use Agreement. This Agreement will cover the specific dates and times of the activities. The group must also present a copy of an insurance policy naming the City of Winnipeg as an additional insured and including a Third Party Cross Liability Clause. The policy must have at least \$5,000,000 coverage.

Note: Non-compliance with insurance requirements exposes the Community Centre Board and the City to risk of a lawsuit should an accident happen during an activity or service provided by a contractor.

Property and Liability Insurance that is provided to Community Centres by the City of Winnipeg does not extend to Third Party Users of your facilities. All activities that are not a Community Centre program and are sponsored by an outside group that rent space (with a fee or without) must be permitted through the facility use agreement process, meeting all insurance requirements and conditions of use. One time social events such as weddings, socials, showers, etc. are permitted through a hall rental agreement and do not require the same conditions at this time.

Please see Appendix for a copy of the Facility Use Agreement and the Responsibilities for Insurance.

Lease Agreements

The other Third Party User issue involves usage by a contractor for space in the centre that are not registered through or financed as a community centre operation i.e. restaurant; canteen; skate shops; daycares, etc. This involves exclusive use by the for-profit groups in space rented by Community Centres. For these types of arrangements which are deemed commercial operations, the Community Centre must notify the City of Winnipeg of their intentions. The Planning, Property and Development (PP&D) Department would then be asked to negotiate an agreement between the contractors, the community centre and the City of Winnipeg.

PP&D has been tasked with this responsibility as there may be requirements for permits, insurance, zoning variances, utility costs, and maintenance responsibilities to name a few. Also, they will negotiate this space at fair market value as the Universal Funding Formula does not cover operation costs for exclusive use at a community centre by Third Party users. Any the square footage utilized by the Third Party User would be deducted from the

Community Centre's operating grant issued by the City. If you have any of these situations, please contact your area Community Centre Liaison.

Athletic Field Bookings

Community Centres are also responsible for directing all groups who have booked athletic grounds at their respective sites to the Central Booking Office (call 311) to apply for a Facility Use Agreement covering the specific dates and times of their use. It is imperative to ensure that the groups using the athletic grounds provide evidence of liability insurance including their participants as they are not protected under the City of Winnipeg Liability Insurance. For bookings that are seasonal and ongoing, there is a charge for a Facility Use Agreement form. The dates and times of use must be specified.

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Section 2.0: Partnership Responsibilities

- Community Centre Monthly Requirements Checklist

Section 2.1: Universal Funding Formula Responsibilities

- Community Centre Herbicide Use Procedure
- Maintenance Standards for Knock-down Rinks
- Maintenance Standards for Ball Diamonds
- Maintenance Standards for Soccer/Football Fields
- Parks and Open Spaces- Materials and Supplies Guideline

Section 3.0: Constitution

- Standardized Constitution

Section 5.0: Standardized Financial Reporting

- Community Centre Audit/Review Guidelines
- Financial Stability Assessment
- Budgeting
- Standardized Revenue and Expense Statement Categories (Sample)
- City of Winnipeg Community Centre Investment Guidelines
- City of Winnipeg Community Centre Guidelines for the Discovery of Fraud and other Similar Irregularities

Section 9.0: Insurance and Claims

- Incident and/or Injury Report
- Property Damage, Theft or Loss Report
- Liability Release and Indemnity Form

Section 10.0: Employer-Employee Relationship

- City of Winnipeg Community Center Volunteer/Employee Code of Conduct
- Community Centre Respectful Environment Policy

Section 12.0: Job Descriptions

- Volunteer Position Description Sample
- Volunteer Application Form
- Community Centre Duties of Officers (Samples)
 - President
 - Vice-president

- Secretary
- Treasurer
- Past President
- Canteen Chairperson
- Bingo Chairperson
- Sports Convenor Chairperson
- Sports Equipment Chairperson
- Hockey Convenor
- Publicity Chairperson
- Pre-teen/Youth Chairperson
- Special Events Chairperson
- Volunteer Chairperson
- House and Grounds
- Staff Job Descriptions (Samples)
 - Supervisor of Children's Programs
 - General Manager
 - Administrative Assistant
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Section 13.0: Permits, Licenses and By-Laws

- Community Centre Policy for Group Fundraising Activities (Sample)
- Outdoor Smoking By-Law
- Temporary Food Establishment License Application – City of Winnipeg
- Temporary Food Service Establishment Guideline and Provincial Special Event Health Permit Application
- Sample Suspension Letter for Minors
- Sample Suspension Letter for Adults

Section 15.0: Rentals/Facility Use Agreements

- Sample Community Centre Rental Agreement
- Facility Use Agreement
- Responsibilities Regarding Insurance for Third Party Usage of Community Centre Facilities