

SHORA 2016-2017 By-Laws Update Summary October 30, 2016

To bring SHORA into compliance with the affiliated group standards set by the City Of Mississauga, the following 4 new clauses are required as part of our By-Laws.

Clauses required:

1. Dissolution clause, ie dispersal of assets
2. Conflict of Interest Clause
3. Behaviour Standards & Removal of a director or member
4. 21 days' notice of AGM to members and the city.

-Dissolution Clause:

DISSOLUTION

- The Executive will propose dissolution of The Sherway Homeowners and Recreational Association to its members and call a meeting of the membership. Membership is to be notified at least 21 days prior to the meeting. Notice is to be given by flyer distribution to each member, as well as email notice.
- Members will vote reaching quorum of 30 members, or 10% of the membership, whichever is less.
- Voting will be carried out with a motion of dissolution, followed by a seconding, and all in favour process.
- At the dissolution of The Sherway Homeowners and Recreational Association, after all debt and liabilities have been fully liquidated, any remaining assets and property will be dispersed by donating the funds to a suitable charity of the board's choice, with the condition that if the board voting is tied, then the President votes twice to break the tie.

-Conflict of Interest Clause:

CONFLICT OF INTEREST

A conflict of interest is defined as a situation which an Officer, who is in a position of trust, has a professional or personal interest that competes with the best interests of The Sherway Homeowners' and Recreational Association and its members. Such competing interests can make it difficult for an Officer/ Director to perform his/her duties and responsibilities

objectively. A conflict of interest exists even if no unethical or improper act results. A conflict of interest can create an appearance of impropriety that can undermine confidence in state name of organization and its efforts.

DISCLOSING CONFLICT OF INTEREST AT A MEETING

If a Director has, or suspects he/she has a conflict of interest, direct or indirect, in any matter and is present at an Executive meeting, the Officer/ Director shall:

- disclose the conflict of interest
- not take part in the discussion or vote
- not influence the vote of others
- leave the meeting when the matter is under consideration

DISCLOSING CONFLICT OF INTEREST AFTER A MEETING

If a Director is not in attendance at the meeting where a conflict of interest arises, he/she shall disclose the conflict of interest at the first meeting attended by the said director.

CONFLICT OF INTEREST STATEMENT

All Directors must sign and abide by a Conflict of Interest Statement approved by the Executive.

-Behaviour Standards & Removal of a Director or Member:

BEHAVIOUR STANDARDS/CODE OF CONDUCT

Members of The Sherway Homeowner's and Recreational Association shall be held to the following standards of conduct:

- must not engage in criminal activity and must comply with all relevant laws, regulations, policies and procedures
- must not use the status or position with The Sherway Homeowner's and Recreational Association to influence, benefit or advantage themselves
- contributes to a safe and healthy environment that is free from discrimination, harassment and violence
- must not use drugs or alcohol in a way that affects performance and safety of themselves or others or negatively impacts the reputation of The Sherway Homeowner's and Recreational Association
- must act in a way that is consistent with The Sherway Homeowner's and Recreational Association's protocols on public comment

- must take reasonable steps to avoid situations where they may be placed in a real or apparent conflict between private interests and the interests of The Sherway Homeowner's and Recreational Association, possible examples:
 - use of confidential information
 - gifts and gratuities
 - outside activities that conflict with goals of The Sherway Homeowner's and Recreational Association
 - political activity
 - relationships that might question impartiality
- The Code of Conduct also refers to after a member leaves The Sherway Homeowner's and Recreational Association. i.e. disclosing confidential information or use of contacts for personal gain

REPORTING PROCESS

- The Code Administrator role is to be executed by the President
- A Code Administrator receives and ensures confidentiality of all disclosures, is responsible for providing advice, managing the concerns, and ensuring procedural fairness
- Disclosure of all real or apparent conflicts of interest must be declared in writing to the Code Administrator; about ones' self or another
- The Code Administrator promptly reviews the circumstance and details of the potential breach
- The identity of the reporter will not be disclosed unless required by law
- The alleged member has the right to complete information and the right to respond
- The Code Administrator makes a decision and completes a report of the review in a timely manner
- The decision may range from no potential breach to one that reveals suspected criminal conduct

If a Director or member does not comply with the standards of behaviour identified in the Code of Conduct, they may be subject to disciplinary action up to and including removal from their office and/or The Sherway Homeowner's and Recreational Association

A request in writing can be made to the Vice President to review the decision of the Code Administrator using an appeals process.

AGM Notice to membership and City:

- Notice of meeting must be adequately given to the membership via flyer or email, with first notice given at least 21 days in advance of the AGM. The meeting agenda is to be included with the notice.