

**Kitasoo/Xai'Xais First Nation
Operations Manual**

**Section 2
Organizational Structure**



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2.01 Organizational Components – The First Nation is made up of the following components:

- a. The Government also referred as Band Council being One (1) Chief and Five (5) Councillors;
- b. Committees being the following:
 - i. Kitasoo Educational Authority (School) Committee;
 - ii. Health Services Committee;
 - iii. Housing Committee;
 - iv. Kitasoo/Xai'Xais Integrated Resource Stewardship Authority Committee (This is a Community Advisory Committee which does not fall under the authority of Band Council.)
- c. Administration & Community Services;
- d. Public Works & Housing Department;
- e. Education Department;
- f. Health Department;
- g. Social Development Program;
- h. Fisheries Department;
- i. Resource Stewardship Authority Department;
- j. Economic Development initiatives being businesses and ventures owned and managed by the Development Corporation.

2.02 Organizational Structure – The organizational structure of the First Nation is as illustrated on the Organizational Chart in **Appendix "2A"** with lines of authority as shown and specific roles and responsibilities as more particularly described in the Operations Manual, and summarized as follows;

- a. The Government, as the elected representatives of the Band Members is the ultimate authority within the First Nation and is responsible for making decisions in the interests of the Band and overseeing the local administration of community services;
- b. The Band General Manager is the Senior Administrative Officer for the First Nation;
- c. The Finance Officer (Comptroller) is the Senior Financial Officer for the First Nation;
- d. The Committees provide community level input as to service delivery, under the various Department/Programs of the First Nation.
- e. The Managers, Supervisors and Coordinators are responsible for the day-to-day operation of their respective Department/Programs. Managers and Supervisors have the responsibilities of supervising other employees. Coordinators do not have employees under their supervision. When a Coordinator is called upon to supervise an employee (classified as permanent full time or permanent part time) over an indefinite period, the Coordinator's position is regarded as changed to a Supervisor position.

2.03 Authorities – The respective authorities of each of the Committee are as specified in the Terms of Reference of each Committee, and the duties and responsibilities of the personnel who work within the organization are as specified in the job description of each employee.

2.04 Standing Meetings – The Government establishes a schedule of Standing Meetings for the entire fiscal year. A Band Council meeting schedule is circulated throughout the organization by the Band General Manager. The Government also establishes the frequency of Standing Meetings for the following bodies;

- a. **Band Council** – Government meetings are normally scheduled for the first Wednesday of every month but may be subject to change occasionally due to circumstances. Additional meetings may occur as the Government considers appropriate.
- b. **Committees** – The Kitasoo Educational Authority, Health Services and Housing Committees are to meet once per month.
- c. **Management** – The Band General Manager meet with Department Managers and Program Coordinators at least once per month, or as necessary, either in a group or individually to discuss and receive service delivery status report for each program.
- d. **Department** – Department Managers meet with their respective staff weekly or as deemed necessary.
- e. **General Band Meetings** – General Band Meetings are held quarterly where the Government, Administration and representatives of each committee are in attendance and where quarterly financial reports and service delivery reports are presented to the membership, and at one (1) of such quarterly meetings, the audited financial statement of the First Nation for the previous fiscal year is presented.

Attached as **Appendix “2B”** is a listing of Standing Meetings with the purpose and deliverables for each such meeting.

2.05 Financial Information Flow – The flow of information within the organization is as illustrated in **Appendix “2C”** with the specific procedures as follows;

- a. The Finance Officer (Comptroller) is responsible to compile all necessary and updated financial information from each Department/Program at the end of each month and prepare monthly, quarterly and annual financial statements for each Department/Program that have been allocated a budget.
- b. The Finance Officer provides the Band General Manager with monthly, quarterly and annual consolidated financial statements and financial statements respective to each Department /Program covering all incomings and outgoings, in accordance with generally accepted accounting principles, together with year-to-date and variances from the budget reports.
- c. The Band General Manager presents the monthly, quarterly and annual financial statements to Band Council at the next Band Council Meeting.

- d. The Finance Officer provides a copy of the monthly, quarterly and annual financial statements to the respective Department Managers and/or Program Coordinators to share and review with their respective Committees at their next meeting.

2.06 Service Delivery Information Flow – The Band General Manager is responsible to compile the service delivery information on a monthly basis from his/her meeting with Department Managers and Program Coordinators. The Band General Manager is responsible to provide Band Council with a monthly service delivery status report along with the monthly financial statements at the next Band Council meeting.

2.07 Minutes of Meetings – Government Meetings, Committees Meetings, and General Band Meetings, and any other official meeting authorized by the Government within the First Nation, adhere to generally accepted rules of order and in the event of dispute as to the same, Roberts Rules of Order applies. Such meetings are further subject to the following rules:

- a. Except as may otherwise be expressly stated in the Operations Manual, no further or other notice of meeting is required for meetings set out in the Schedule of Meetings, or any other meeting date that is set at the previous meeting;
- b. The Standing Agenda for each First Nation meeting is circulated for approval at the beginning of each such meeting, with additions and deletions as required;
- c. Each First Nation meeting as specified in the Schedule of Standing Meetings has a standing Chairperson and Standing Secretary as more specified in the Operations Manual;
- d. The Secretary for the meeting keeps the minutes of the meeting in a standard format as more specified in the Operations Manual;
- e. The minutes of each First Nation meeting is chronologically and sequentially numbered;
- f. Each motion recorded in the minutes of the First Nation meetings is chronologically and sequentially numbered;
- g. Each motion in the minutes of a First Nation meeting contains the wording of the motion, the name of the mover, the name of the person who seconded and whether the motion was carried or not;
- h. No voting by proxy is permitted, except an absent Chief or Councillor can be present by way of telephone if the remaining members of Council consent, and telephone conferencing equipment is available;
- i. The minutes of a First Nation meeting does not contain discussion, debate and points of view surrounding the motion;
- j. In the event of a dissenting vote at a First Nation meeting, and the dissenter wishes to have his or her dissent recorded, the Secretary for the subject First Nation meeting, on receiving such request records the dissent in the minutes containing the original motion, with no reason as to the dissent recorded, and the dissenter has the right to provide reasons in letter

form, which letter is then attached to the minutes containing the original motion when it is received;

- k. The Secretary of a meeting, within five (5) days of the applicable meeting date, provides the Chairperson of the meeting with a copy of the minutes from the previous meeting prior of being approved and appropriately marked the minutes as a “draft”;
- l. The minutes of a previous First Nation meeting, with amendments, if any, are approved by motion at the next subsequent meeting, and when approved, a motion approving the minutes is recorded in the minutes of the meeting and the Secretary certify by signature that the minutes have been approved (**“the approved minutes”**);
- m. The Secretary provides the original copy of the approved minutes to the Band General Manager or his delegate within five (5) days after the approval of the same;

The management of Committee meetings and minutes of meetings are as specified throughout the Operations Manual and is summarized in **Appendix “2D” (“the Meetings & Minutes Flowchart”)**.

2.08 Confidential Information – Minutes contain no information that identifies a client receiving health or social assistance. All decisions relating to such clients are recorded in the Minutes of a Meeting of the Committee by way of general reference only and identified in the subject minutes as *“Confidential service decision on Case no. (insert unique client number)”*. The record of the client specific Committee motion containing the subject service delivery decision takes the form of a separate resolution for each such decision and placed on the file of the applicable client and otherwise filed within the filing system of the respective program.

2.09 Hiring & Firing – The hiring and firing of personnel throughout the First Nation, as well as termination appeals is as summarized in **“Appendix 2E” (“the Hiring & Firing Chart”)**, and as may be more particularly specified in the Operations Manual. All potential dismissals are first discussed with the Band General Manager to insure that the proper notice is given, so that potential liability to the First Nation is minimized.

2.10 Human Resource Services – The persons who have hiring and firing authority utilize the Human Resource Officer as may exist within the organization, or in his\her absence or position vacancy, the Band General Manager appoints someone else. The Human Resource services are further described in the Human Resource Officer job description and Section 5 of the Operations Manual and consist but is not limited to the following;

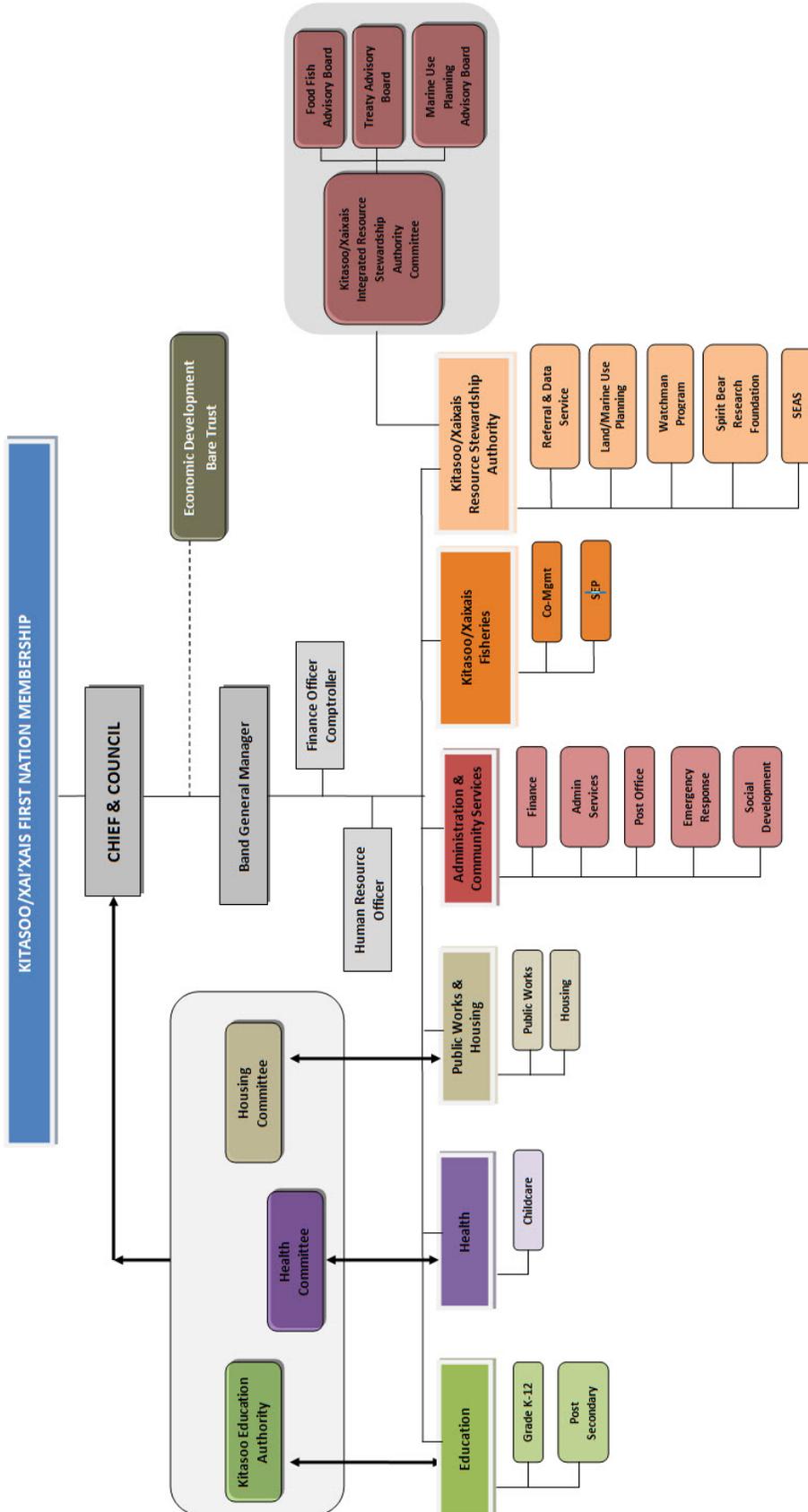
- a. Preparation of advertisements for positions that become available;
- b. Advertising positions that are available;
- c. Receiving applications for new positions;
- d. Coordinating meetings and Job Selection Boards to review the applications and choose the new employee;
- e. Keeping and maintaining personnel files for all employees;

- f. Keeping a standing list of all employees with name and contact information and circulate the same throughout the First Nation, as is appropriate.
- g. Keeping the Band General Manager and Department Managers informed as to the status of new jobs for each individual Department/Program;
- h. Serve as the grievance registrar for grievances under the Operations Manual.

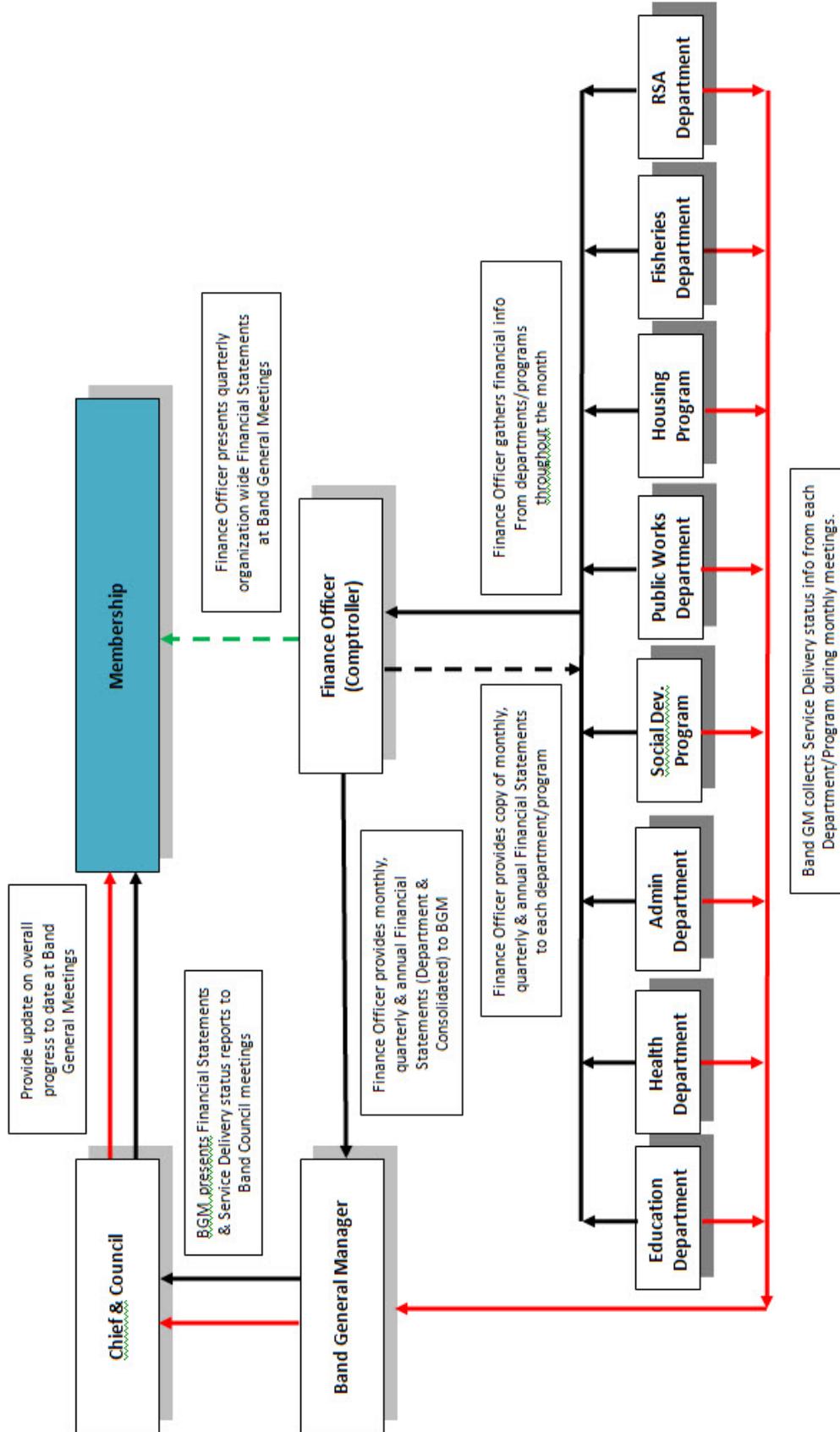
2.11 Recommendations to Dismiss - In circumstances where a Committee recommends a dismissal, the following procedure applies:

- a. In the event the Committee recommends the dismissal of a Manager or Coordinator, then:
 - i. The Committee provides the Band General Manager with a copy of the written recommendation to dismiss the Manager or Coordinator setting out reasons for dismissal;
 - ii. The Band General Manager promptly investigate the matter;
 - iii. If the Band General Manager does not thereafter dismiss the Manager or Coordinator, then the Band General Manager gives written report to the subject Committee setting out reasons why the subject Manager or Coordinator was not dismissed, with a copy of the written report to the Government;
 - iv. If the Committee is not satisfied with the decision of the Band General Manager not to dismiss the Manager or Coordinator, the Committee can appeal the matter to the Government with the Chairperson of the subject Committee making the representations to the Government.
- b. In the event the Committee recommends the dismissal of a Teaching or Teaching Support Staff, then the following procedure applies:
 - i. The Committee provides the Department Manager with a copy of the written recommendation to dismiss the subject Teaching or Teaching Support Staff setting out reasons for dismissal, with a copy of the same concurrently provided to the Band General Manager;
 - ii. The Department Manager promptly investigates the matter;
 - iii. If the Manager does not support the recommendation to dismiss the Teaching or Teaching Support Staff, then the Manager gives a written report to the subject Committee setting out the reasons of his/her decision and provides a copy of the written report to the Band General Manager;
 - iv. If the Manager agrees with the recommendations made by the Committee to dismiss the Teaching or Teaching Support Staff, the Manager gives a written report to the Band General Manager with the supporting reasons for the dismissal of the subject personnel;

- v.** If the Committee is not satisfied with the decision of the Manager not to support the recommendation to dismiss the subject Teaching or Teaching Support Staff, the Committee through the Chairperson of such Committee, can appeal the matter to the Band General Manager;
- vi.** If the Band General Manager does not thereafter dismiss the Teaching or Teaching Support Staff, then the Band General Manager gives written report to the subject Committee setting out reasons why the subject personnel was not dismissed, with a copy of the written report to the Government;
- vii.** If the Committee is not satisfied with the decision of the Band General Manager not to dismiss the Teaching or Teaching Support Staff, the Committee can appeal the matter to the Government, with the Chairperson of the subject Committee making the representations to the Government.

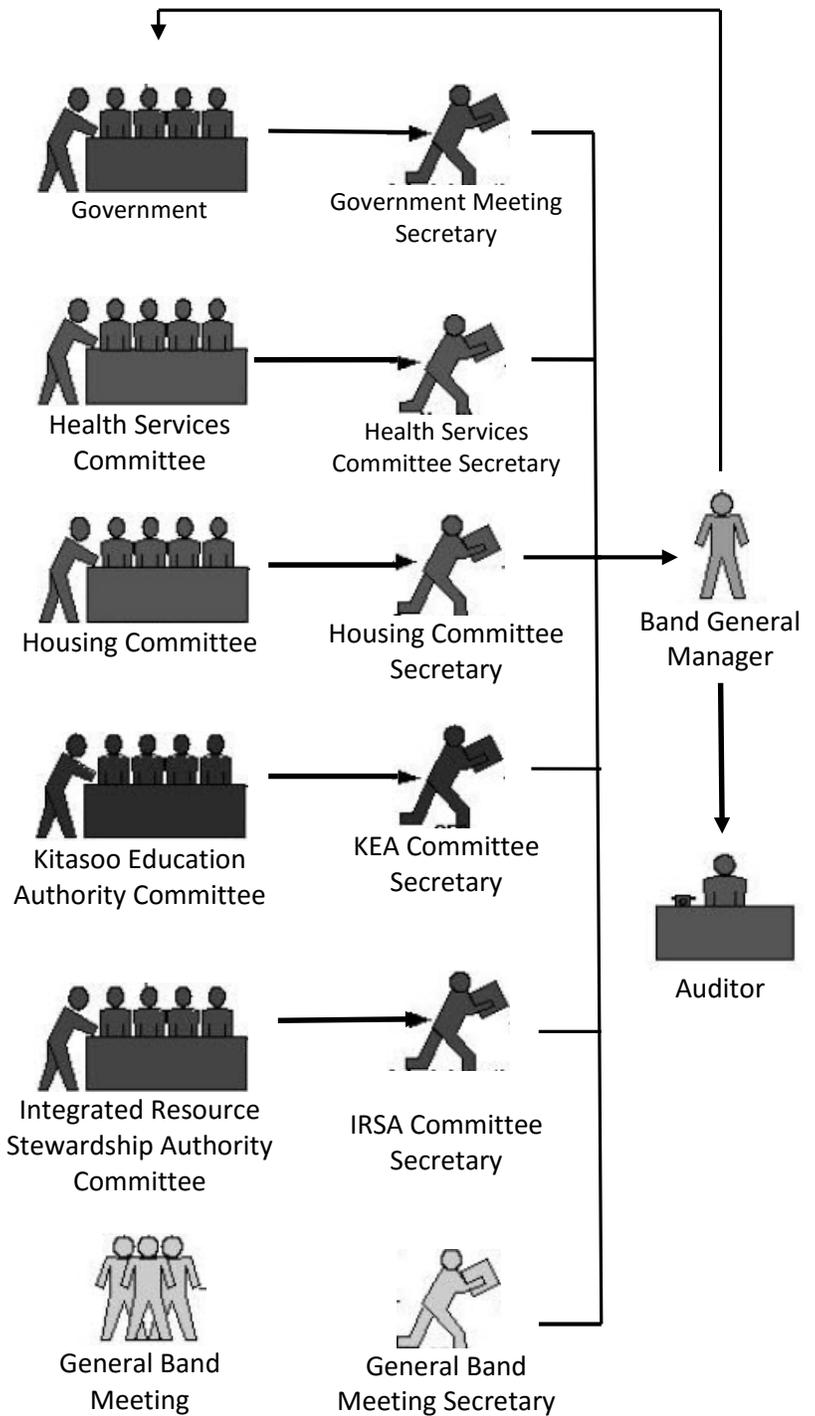


	Weekly	Monthly or as Specified	Quarterly	Annually
Meetings	<ul style="list-style-type: none"> Managers meet with their staff weekly. Short Monday morning meetings are recommended 	<ul style="list-style-type: none"> Government meets monthly, first Wednesday of the month Committees meet monthly on separate dates from each committee Band General Manager meets monthly with Managers and Coordinators either as a group or individually. First of the month meetings are recommended. BGM meet with Finance Officer prior to monthly Band Council meeting. 	<ul style="list-style-type: none"> Government, Administration and general Membership meet quarterly (General Band Meeting) 	<ul style="list-style-type: none"> Annual General Membership Meeting
Purpose	<ul style="list-style-type: none"> Review service delivery for the past week Plan the work week Address common issues 	<ul style="list-style-type: none"> Government and Committees follow Standing Agendas and review special initiatives Monthly management meeting to receive and review service delivery status reports. Identify, discuss and address staff and management related issues. Meeting with Finance Officer to review monthly Department /Program and consolidated Financial reports 	<ul style="list-style-type: none"> Review and present quarterly financial reports Review and present quarterly service delivery status reports 	<ul style="list-style-type: none"> Review and present annual Financial and Service Delivery Reports Follow Standing Agenda
Deliver to BGM		<ul style="list-style-type: none"> Government and Committees Meetings minutes Department/Program and consolidated monthly Financial Reports with budget variance reports Monthly Service Delivery status report is collected from each Department /Program Managers & Coordinators during management meetings 	<ul style="list-style-type: none"> Government and Band General Meetings minutes Department/Program and consolidated quarterly Financial Reports with budget variance reports 	<ul style="list-style-type: none"> Band General Annual Meeting minutes
Deliver to Band Council		<ul style="list-style-type: none"> Meeting minutes from previous Band Council meeting for approval Approved minutes from Committees Meetings Department/Program and consolidated monthly Financial Reports with budget variance reports Service delivery status reports for each Department/Program 	<ul style="list-style-type: none"> Department/Program and consolidated quarterly Financial Reports with budget variance reports Service delivery status reports for each Department/Program 	



Government & Committees Meeting & Minutes

- **Meeting:** Frequency of meetings of the Government and Committees is set by the Government each year being the Schedule of Standing Meetings and can be amended as required.
- **Agendas:** There are Standing Agendas for each type of meeting. Agenda items can be added as required.
- **Form of Minutes:** There is a standard format of minutes. Only decisions are recorded, with the right to have a dissent recorded if there is a request. Discussions are not recorded. The meetings are chronologically numbered and motions are also sequentially numbered.
- **Chairperson & Secretary:** There is a Standing Chairperson and Secretary for each meeting.
- **Draft Minutes:** A draft copy of the minutes is provided by the Secretary of each meeting to the Chairperson and BGM within five (5) working days of the meeting. The BGM holds the minutes on file pending receipt of an Approved Copy of the minutes.
- **Approved Minutes:** The draft minutes are presented for approval at the next of Government or Committee meeting, and when approved, the Secretary records the approval in the minutes and signs the approved minutes certifying their approval. The Secretary provides a copy of the approved minutes to the BGM within five (5) working days of the meeting.
- **Circulation:** The BGM files Approved Minutes in the filing system and provides the Government and Auditors with copies of Approved Minutes of the Government & Committees.



Position	Hired/Appointed by	Fired/Removed by	Appeal within the First Nation
Government	Electors of First Nation	Electors of First Nation	Election Appeal
Committees	<ul style="list-style-type: none"> • Government appoints some positions from membership • Elections are held for some positions on certain committees • Portfolio holders are appointed by the Chief from members of Council 	<ul style="list-style-type: none"> • Government removes its Committee appointees • Membership removes elected committee members by motion and vote at BGM • Chief removes portfolio holders 	- None - None - None
Band General Manager	Government	Government	None
Finance Officer	Government on recommendation of the Band General Manager	Band General Manager in consultation with the Government	Government
Human Resource Officer	Government on recommendation of Band General Manager	Band General Manager	Government
Department Managers, Supervisors & Coordinators	Government on recommendation of Band General Manager	Band General Manager	Government
School Principal	Government on joint recommendation of School Committee & Band General Manager	Band General Manager on recommendation of School Committee & in consultation with Government	Government if dismissed by Band General Manager. If dismissed by Government, no appeal
All Teaching employees	Government on joint recommendation of School Committee and Principal	Band General Manager on joint recommendation of School Committee and Principal	Government
All employees under managers other than teaching staff	Band General Manager on recommendation of Managers and/or Committees (when applicable)	Band General Manager	Government
All non members Contractors	Government on recommendation of Band General Manager and/or Committees	Government	None