



<b>SUBJECT:</b>  Corporate Agreements	<b>CATEGORY:</b>  General Administration	<b>NO.</b>  501
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**PREAMBLE**

SIAS establishes many formal and informal partnerships and relationships that support its mandate. As such, there are times when its employees are required to negotiate the terms and conditions of, or enter into, legally-binding financial arrangements, business agreements or partnership efforts. SIAS recognizes its responsibility to ensure such commitments are conducted in an ethical and legally-responsible manner.

This policy strives to ensure that appropriate control measures and safeguards are in place when utilizing public funds or allocating SIAS resources entrusted in its care. It applies to legally-binding corporate agreements or other such instruments including, but not limited to, articulation agreements, transfer credit agreements, memorandums of understanding, letters of intent, training contracts, clinical placement agreements, deeds, transfers, lease agreements, assignments and certificates. It does not interfere with or supersede the provisions of current collective agreements.

**POLICY**

No SIAS employee shall enter into, or commit to enter into, any formal agreement or other legally-binding instrument that contradicts the laws of Canada, *The SIAS Act*, or the bylaws and official policies of the organization, including Conflict of Interest policy #704 and Procurement policy #1002.

Any corporate agreement having binding financial, legal or other SIAS resource implications must:

- 1) have its terms approved by the appropriate out-of-scope senior manager or supervisor, or in the case of an agreement binding multiple departments or divisions, have its terms endorsed by all affected out-of-scope senior managers, prior to formal execution;
- 2) be properly authorized and executed in accordance with Management Authorities' Grid policy #504-G or, in the case of a corporate agreement not referenced within

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the Grid or one that is of an academic nature, be properly authorized and executed by the appropriate senior manager(s) or supervisor(s);

- 3) not conflict with or otherwise contradict any corporate arrangement currently in effect, unless the express intent is to replace the prior arrangement.

Excluding collective agreements and employment service contracts, all formalized and duly executed corporate agreements must be electronically filed in a designated central database/system that is accessible by all SIAST senior management, out-of-scope managers, and the institutional secretary.

## **PROCEDURE**

1. Employees will consult with and obtain the prior approval of the appropriate senior management authority prior to commencing negotiations of the terms and conditions of any corporate agreement or other legally-binding instrument.
2. The appropriate senior management authority is responsible to ensure that such agreement, once executed, will not conflict with or contradict any agreements or legally-binding instruments, including insurance liability policies, currently in effect.
3. Excluding collective agreements, if a proposed agreement will have binding financial, legal or other resource implications for other departments or divisions, the endorsement of all affected senior manager(s) must also be obtained prior to the start of any negotiations.
4. If legal consultation or legal services are required in the development or execution of a corporate agreement, a SIAST senior management council (SMC) member must be consulted and their approval provided prior to the retention of SIAST's legal counsel.
5. Any agreement affecting SIAST facilities or physical space must be negotiated subject to the endorsement of the local campus director and/or Facilities department.
6. Following the formal execution of a corporate agreement or other legally-binding instrument, the responsible senior management authority will electronically file a copy of the fully executed document in a designated central electronic repository and notify all internally affected parties.
7. The senior management authority is responsible for the retention and safekeeping of the original formally executed document, and is also responsible to initiate any required renewal or amendment of such document.

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