

10 REMUNERATION OF MEMBERS OF COUNCIL AND COMMITTEES¹

10.1 General

10.1.1 Definitions

In this by-law,

a “**full day**” means a period of time, including time permitted for travel, that is more than six (6) hours;

a “**three-quarter day**” means a period of time, including time permitted for travel, that is more than four (4) hours but is not more than six (6) hours;

a “**half day**” means a period of time, including time permitted for travel, that is more than two (2) hours but is not more than four (4) hours;

a “**quarter day**” means a period of time, including time permitted for travel, that is not more than two (2) hours;

an “**expense**” or “**expenses**” include, but are not limited to, costs associated with travel to and from a person’s principal residence in Ontario or dental office in Ontario and a meeting destination as well as accommodation, meals, gratuities, and local travel during the period of time necessary to attend a meeting; and

a “**meeting**” means an in-person, telephone, or virtual meeting of Council or a committee, and an in-person, telephone, or virtual attendance for College business authorized or approved by Council, the Executive Committee, the President, or the Registrar, and includes hearings of a panel of a committee.

10.1.2 Application to public members of Council

The articles of this by-law related to the payment of allowances and the reimbursement of expenses do not apply to public members of Council but do apply to other members of Council and members of the College.

¹ This by-law 10 replaces the current by-law 10 of the College’s By-laws, effective 12:01 a.m. of the day of the first regular Council meeting held on or after January 1, 2023.

10.1.3 *Other allowances and expenses*

Where a person requests the payment of allowances or the reimbursement of expenses not provided for in this by-law, the Executive Committee shall determine whether the requested amounts shall be paid.

10.2 *Allowances and Per Diems*

10.2.1 *Revoked (November 17, 2020; effective December 31, 2020)*

10.2.2 *President's annual allowance*

The President shall be paid an annual allowance of \$50,000.⁰⁰ in addition to any specific per diems provided for in this by-law, in recognition of the responsibilities undertaken by the President on behalf of the Council and College.

10.2.3 *President's per diem*

The President shall receive a per diem of \$1,700.⁰⁰ for a full day or the pro-rated amount for a quarter day, half day, or three-quarter day for attending meetings.

10.2.4 *President's permitted meetings*

The President shall receive a per diem for attending meetings, including, but not limited to:

- a. meetings of Council, the Executive Committee, or other committees;
- b. meetings with senior staff of the College;
- c. Ontario Dental Association Local Society meetings;
- d. conferences and meetings of the Canadian Dental Association or Ontario Dental Association;
- e. other federal or provincial-level meetings and conferences to which the President is invited; and
- f. graduation ceremonies of Ontario faculties or schools of dentistry.

10.2.5 *Chair per diem*

A chair of a committee shall receive a per diem of \$1,375.⁰⁰ for a full day or the prorated amount for a quarter day, half day, or three-quarter day for attending and presiding at a meeting of the committee.

10.2.6 Council, committee member per diem

Each member of Council and each member of a committee, other than the President or a chair of a committee, shall receive a per diem of \$1,150.⁰⁰ for a full day or the pro-rated amount for a quarter day, half day, or three-quarter day for attending meetings.

10.2.7 Revoked (November 18, 2021; effective [date of the first regular Council meeting held on or after January 1, 2023])

10.3 Allowances and Per Diems – Application and Limitations

10.3.1 Minimum length of time

No person shall receive a per diem for any meeting which amounts to less than fifteen (15) minutes, excluding time permitted for travel.

10.3.2 No more than a full day per diem

No more than one (1) full day per diem shall be paid to any person otherwise entitled to a per diem under this by-law for meetings in a single calendar day, unless specifically provided for in this by-law or approved by the Finance, Property and Administration Committee.

10.3.3 Preparation time not included

Except for meetings of a panel of the Inquiries, Complaints and Reports Committee, preparation time shall not be included in determining whether any per diem is payable.

10.3.4 Additional per diem, ICRC preparation

In recognition of the extraordinary amount of preparation that may be spent for meetings of panels of the Inquiries, Complaints and Reports Committee, each member of such panel shall be eligible for up to two (2) additional full day per diems at the rate for non-chair committee members for each full day attendance at a meeting of the panel.

10.3.5 Additional per diem, Discipline Committee reasons

The member of a panel of the Discipline Committee responsible for preparing the draft reasons for decision of the panel shall be paid an additional per diem at the rate for non-chair committee members for the time actually spent to prepare the reasons, up to a maximum of two (2) full days per hearing.

10.3.6 Payment for expected meeting duration

Where the actual duration of a meeting is less than the planned duration or reasonably expected duration as determined in advance of the meeting, any per diem payable under

this by-law shall be paid at the rate for the planned or reasonably expected duration of the meeting.

10.3.7 Travel time included

Except as otherwise provided in this by-law, in determining whether a person's attendance at a meeting was a full day, three-quarter day, half day, or quarter day in duration, the reasonable time the person actually spent in travelling from the person's principal residence in Ontario or dental office in Ontario to the meeting shall be included.

10.3.8 Extended travel time

Except as otherwise provided in this by-law, where a person reasonably needed to travel on the day prior to or the day after the meeting, the person shall be paid an additional full day, three-quarter day, half day, or quarter day per diem, as applicable, in respect of the person's extended travel time.

10.3.9 Cancellation

Where a member of a committee is requested to attend a meeting for which the member would be entitled to a per diem but the meeting is cancelled with less than seven (7) days' notice, the member shall be paid the per diem to which the member would have been entitled, provided that

- a. the member would have earned professional income from the practice of dentistry but for the member's arrangement to attend the meeting; and
- b. the member made reasonable efforts to mitigate against the loss of income, but was unable to do so.

10.3.9.1 Sufficient notice of cancellation

Where a meeting is cancelled with seven (7) or more days' notice, no per diem will be payable under this by-law.

10.3.10 Partial mitigation

A member of a committee who is able to partially mitigate the member's loss of professional income caused by the cancellation of a meeting shall be paid a pro-rated portion of the per-diem otherwise payable under this by-law.

10.4 Revoked (November 18, 2021; effective [date of the first regular Council meeting held on or after January 1, 2023])

10.5 Expenses – General

10.5.1 *Expenses reimbursed*

The College shall reimburse all persons for valid allowable expenses incurred in attending meetings, in accordance with the College's expense policy.

10.5.2 *Other sources*

The College shall not reimburse any expense for which reimbursement is available from other sources.

10.6 *Claims Procedure*

10.6.1 *Claims submitted within thirty days*

All claims for payment or reimbursement under this by-law or the College's expense policy shall be submitted to the College within thirty (30) days of the close of the meeting to which they relate.

10.6.2 *Claims automatically adjusted*

Any claim not permitted by this by-law or in excess of the allowable maximums set in this by-law or the College's expense policy shall be adjusted before being paid.

10.6.3 *Disputed claims*

Except as otherwise provided in this by-law, the Finance, Property and Administration Committee shall decide any dispute regarding the allowances, per diems, or expenses payable under this by-law or the College's expense policy.