

Policy Title:

Approval and Signing Authority Policy

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Board of Governors

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- *By-laws of the Board of Governors - Appendix E: Resolution Respecting the Execution of Instruments by McMaster University, November 23, 2021*

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Responsible Executive: **President and Vice-Chancellor**

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Section A: Introduction

1. As outlined in the [McMaster University Act](#), the Board of Governors is responsible for the governance, conduct, management, and control of the University and its property, revenue, and business affairs. To execute its responsibilities, the Board has authorized officers of the University to sign deeds, transfers, contracts/agreements, and obligations on behalf of the University.

Purpose and Scope

2. The purpose of this Policy is to:
 - a) identify the approval authority and the approval thresholds for all funds, including capital funds, research funds, and research expenditures; and
 - b) designate the execution signatories authorized to sign deeds, transfers, assignments, contracts/agreements, obligations, or documents on behalf of the University after such documents have been appropriately approved. These include all agreements related to the University receiving money, to the purchase or lease of goods and services, and to agreements having no financial commitment.
3. This Policy shall not apply to the signing of degrees and other academic credentials arising from the actions of the Senate in accordance with the *McMaster University Act*, Section 13.

Terms and Definitions

4. For the purpose of interpreting this document:
 - a) words in the singular may include the plural, and words in the plural may include the singular;

- b) **Approval Authority** means the body or individual within the University's governance or management structure with the responsibility to commit the University to the relationship;
- c) **Budget Envelope Authority** means the employee who has the highest level of decision-making authority for the budget envelope in a Faculty, department or other operating unit engaging in the agreement or expenditure. Some examples include a dean, director or associate vice-president; and
- d) **Execution Signatory** means the individual(s) assigned the responsibility of executing formal documents, forms and instruments that bind the University contractually.

List of Abbreviations

5. The following are common abbreviations used in this Policy:

- **Area AVP**: the Associate Vice-President responsible for the budget envelope related to the item being signed;
- **AVP & CFO**: Associate Vice-President and Chief Financial Officer;
- **AVP & CHRO**: Associate Vice-President and Chief Human Resources Officer;
- **AVP & CTO**: Associate Vice-President and Chief Technology Officer;
- **AVP REAP**: Associate Vice-President, Real Estate, Ancillary Operations and Partnerships;
- **Board**: McMaster University Board of Governors;
- **Board Secretary**: University Secretary and Chief Governance and Privacy Officer;
- **Dean and VP, FHS**: Dean and Vice-President, Faculty of Health Sciences;
- **MILO**: McMaster Industry Liaison Office;
- **OLS**: Office of Legal Services;
- **PRC**: Planning and Resource Committee of the Board of Governors;

- **Provost:** Provost and Vice-President (Academic);
- **ROADS:** [Research Office for Administration, Development, and Support](#); and
- **VPOF:** Vice-President (Operations and Finance).

Policy Review

6. As per the [McMaster University Policy Framework](#), the President and Vice-Chancellor, as the executive responsible for this Policy, will typically review it every five (5) years. Smaller and more frequent reviews may occur to ensure this Policy is current and compliant with legislative requirements, professional standards, and leading practices.

Section B: Responsibilities and Conflict of Interest

7. The [Execution Signatories](#) are responsible for exercising their authority as a prudent University administrator.
8. All purchases of goods, services, and leases must be executed using the duly authorized processes developed and supported by the Department of [Strategic Procurement](#).
9. All contracts/agreements must comply with the policies of the University and of external bodies, as applicable (refer to [Appendix A: Related Policies and Legislation](#)). For example, depending upon the nature and complexity of the agreement to be signed, the responsibility of the [Execution Signatory](#) shall include an assessment of some or all of the following:
 - a) the ability of the University to meet any financial obligations resulting from the agreement;
 - b) the ability of the other party(ies) to meet its (their) obligations;
 - c) compliance with labour legislation, employee collective agreements, sponsor guidelines, tax legislation, other legislative and regulatory requirements, and applicable University policies;
 - d) whether all approvals required by any applicable policy or practice have been obtained for the contract/agreement;
 - e) whether terms and conditions of the contract/agreement should be reviewed by Strategic Procurement, Office of Legal Services (“OLS”), McMaster Industry Liaison Office (“MILO”), Human Resources Services (“HRS”), or the Office of the Chief Risk Officer;
 - f) in consultation with the Vice-President Operations and Finance (“VPOF”), an assessment of whether legal or other expert advice is needed;

- g) whether the financial and other benefits that are expected to flow to the University as a result of the contract/agreement;
 - h) whether the overhead rate, if any, included in the contract/agreement is consistent with University guidelines; and/or
 - i) whether the provisions regarding intellectual property requirements, physical, bodily injury and personal injury indemnities, and environmental liabilities are consistent with University policies and legal requirements.
10. Execution Signatories shall not exercise their signing authority in circumstances where conflicts of interest exist or could be seen to exist; in addition, individuals shall inform their immediate supervisor when such circumstances exist to enable alternative execution arrangements to be made.
11. One original copy of all signed and executed contracts/agreements must be deposited or stored electronically with the VPOF or maintained in a location approved by the VPOF. The VPOF must ensure an appropriate record and repository for executed instruments exists, whether in paper or electronic form. These documents shall be retained for seven (7) years after the execution, early expiration, or termination of the agreement.
12. That repository is to include:
- a) a list of contractual documents signed by the appropriate individuals and the corresponding execution date;
 - b) the name of any other party or parties signing the documents and their respective execution dates;
 - c) a brief description of the subject matter contained in the documents; and
 - d) the effective start and termination date and the actual or estimated amount of each contractual obligation.

Section C: Signing Authority

13. Determination of the appropriate [Approval Authority](#) and [Execution Signatory](#) is based on the subject matter of the contract/agreement, the dollar amount of the contract/agreement, and whether or not the University is receiving or paying out money under the contract/agreement (refer to the [Authority Matrices](#)).
14. Signing authority for contracts and agreements above one hundred thousand dollars (\$100,000) must be executed by a minimum of two (2) approvers, one of whom must be an Associate Vice-President (“AVP”), Dean, or Vice-President (“VP”). In all cases, the two signatures must be different individuals. The exception is for agreements in charts [A.3.](#) and [A.5.](#) which require only one (1) signature.
15. No contract or agreement valued at more than ten thousand dollars (\$10,000) for purchasing goods or services may be released until it is approved through the University’s electronic system using the details in the Authority Matrices.
16. All dollar amounts cited in this document exclude duties, taxes and shipping charges.
17. Threshold values correspond to the total value of an agreement over the entire contract/agreement term rather than individual payments comprising the total cost. Similarly, where a purchase represents a renewal, the thresholds apply to the **total cost** of the previous term(s) and the new term.
18. An individual designated in the authority matrices as the Approval Authority or Execution Signatory may, from time to time, temporarily delegate their authority to execute a document where there is reason to do so. The individual delegating the responsibility remains accountable.

Section D: Authority Matrices

19. The Authority Matrices contained in this section outline the financial thresholds and approvals required to undertake projects and make commitments on behalf of the University.

A.1. All Funds: Excluding the Research Fund and Capital Fund (refer to A.2. and A.4.)

20. When applying the A.1. matrix, the following information applies:

a) AVP signing officers include:

- [1] Associate Vice-President and University Librarian;
- [2] Associate Vice-Presidents and Deputy Vice-Presidents;
- [3] Controller;
- [4] Directors of Finance and Administration, Directors of Operations and Finance, or the Executive Director, FHS Finance;
- [5] Director of Research Finance and Administration;
- [6] Treasurer;
- [7] University Registrar;
- [8] Vice-Dean, Education, Faculty of Health Sciences; and
- [9] Vice-Provosts and Deputy Provosts.

b) All Investments must be executed by the Treasurer, using the duly authorized processes of the appropriate committees of the Board of Governors.

c) All insurance contracts/agreements must be reviewed by the Office of the Chief Risk Officer.

Non-Real Estate Lease Agreements

21. Agreements related to leasing University-owned or controlled facilities, equipment, or resources by a third party shall use the A.1. matrix below.
22. These agreements shall also obtain approval from the senior University officer of the Faculty or division that owns or controls the facility, equipment, or resource. In the case of facilities, equipment, or resources owned or controlled by
 - a) a Faculty, the Faculty dean shall approve;
 - b) a non-Faculty division (e.g., the Office of the Vice-President (Research), Student Affairs, etc.), the area [AVP](#) shall approve; or
 - c) by a Faculty and non-Faculty division jointly, both the Faculty dean and the AVP of the non-Faculty division shall approve.

A.1. All Funds: Excluding the Research Fund and Capital Fund (refer to A.2. and A.4.)

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$10M and Above	Board	<p>One of:</p> <ul style="list-style-type: none"> • VPOF • Provost • President • Board Secretary • Board Chair <p>And: Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p> <p>And, if HR: AVP & CHRO</p>	<p>Refer to the guideline document posted on the VPOF website (<i>forthcoming</i>).</p> <p>Where agreements are not directly for research but are research-adjacent (e.g., research consulting or services using research resources) and transactions occur through an operating fund rather than a research account, the Process of Implementation described in Matrix A.3. shall be followed.</p>
\$2M up to \$9,999,999	PRC	<p>One of:</p> <ul style="list-style-type: none"> • AVP & CFO • VPOF • Provost • President <p>And: Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p> <p>And, if HR: AVP & CHRO</p>	<p>Where agreements are not directly for research but are research-adjacent (e.g., research consulting or services using research resources) and transactions occur through an operating fund rather than a research account, the Process of Implementation described in Matrix A.3. shall be followed.</p>

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$100,000 up to \$1,999,999	<ul style="list-style-type: none"> • AVP • Dean, or • VP 	<p>One of:</p> <ul style="list-style-type: none"> • Area AVP • Dean • VP <p>And: Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p> <p>And, if HR: AVP & CHRO</p>	
Under \$100,000	Budget Envelope Authority	Budget Envelope Authority	

A.2. Research Fund Expenditures

23. When applying the A.2. matrix, the following information applies:

a) AVP signing officers include

- [1] Deputy Vice-President (Research);
- [2] Associate Vice-President, Research Administration;
- [3] Vice-Dean, Research, Health Sciences;
- [4] Director of Research Finance and Administration;
- [5] Associate Vice-President & Chief Administrative Officer (Faculty of Health Sciences);
- [6] Executive Director, Finance, FHS;
- [7] Director, Research Finance, FHS; and
- [8] Associate Vice-President and Chief Financial Officer.

b) All investments must be executed by the Treasurer using the duly authorized processes of the appropriate committees of the Board of Governors.

A.2. Research Fund Expenditures

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$10M and Above	Board	<p>One of:</p> <ul style="list-style-type: none"> • VPOF • VP Research • VP and Dean, FHS • Provost • President • Board Secretary • Board Chair <p>And: Research Finance Office (Central or FHS)</p> <p>And: Project Holder or Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p>	<p>All agreements or documents with third parties must be reviewed by the appropriate office according to the type of expenditure. This could include Strategic Procurement, the Office of Legal Services, the Research Finance Offices or MILO. Ensure that the chartfield string is included to clearly indicate the source of funds.</p> <p>All research expenditures must follow the appropriate Research Finance Office</p>
\$2M up to \$9,999,999	PRC	<p>One of:</p> <ul style="list-style-type: none"> • AVP & CFO • VPOF • Provost 	

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
		<ul style="list-style-type: none"> • President <p>And: Research Finance Office (Central or FHS)</p> <p>And: Project Holder or Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p>	<p>approval process (Central or FHS)</p> <p>Expenditures for IT infrastructure and IT security must follow consultation and review by the AVP & CTO.</p>
\$100,000 up to \$1,999,999	<ul style="list-style-type: none"> • AVP • Dean, or • VP 	<p>One of:</p> <ul style="list-style-type: none"> • Area AVP • Dean • VP <p>And: Research Finance Office (Central or FHS)</p> <p>And: Project Holder or Budget Envelope Authority</p> <p>And, if technology: AVP & CTO</p>	<p>Types of Documents:</p> <ul style="list-style-type: none"> • Equipment orders for purchase or loan • Service agreements excluding research service agreements under Matrix A.3.
Under \$100,000	Project Holder or Budget Envelope Authority and	<p>One of:</p> <ul style="list-style-type: none"> • Research Finance Office (Central) • Research Finance Office (FHS) 	

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
	Research Finance Office	And: Project Holder or Budget Envelope Authority	

A.3. Research and Research-Related Intellectual Property

24. When applying the A.3. matrix, the following information applies:
- a) AVP signing officers include:
 - [1] Executive Director, McMaster Industry Liaison Office;
 - [2] Deputy Vice-President (Research);
 - [3] Vice-Dean, Research, Health Sciences;
 - [4] Director, Health Research Services, FHS;
 - [5] Director, Research Office for Administration, Development and Support; and
 - [6] Associate Vice-President, Research Administration.
25. This section applies to all agreements involving research and intellectual property or resulting from a peer or merit review process, where the:
- a) University is receiving money;
 - b) University is transferring funds to a collaborating partner institution; or
 - c) agreement does not deal with the payment by either party of money.
26. The review of documents and signatures are typically obtained by the Research Office for Administration, Development, and Support (“ROADS”), Health Research Services or [MILO](#).
27. Typical documents include:
- a) documents for research funds coming to McMaster:
 - [1] contribution or funding agreement from a funding agency or contract;
 - [2] Inter-institutional agreement or sub-grants with other institutions or companies for transfer in;

- [3] research contracts/agreements, research service or research collaboration agreements;
- [4] clinical trial agreements;
- [5] transfer agreements (hospital);
- [6] license agreements, transfer or assignment of intellectual property (IP);
- [7] confidentiality, material transfer, data transfer (with funding);
- [8] memorandum of understanding (MOU), letter of intent (with funding);
- [9] consulting agreements (where McMaster is the consultant);
- [10] hospital cost recovery - funding contracts/agreements; and/or
- [11] amendments or renewals of any of the above.

b) documents for research expenditures by McMaster related to research funding:

- [1] inter-institutional agreement (IIA), sub-grants with other institutions or companies for transfer out;
- [2] transfer agreements or cost recovery (hospital);
- [3] service agreements or purchase orders for payment to third parties;
- [4] transfer agreements;
- [5] hospital cost recovery - commitment agreements; and/or
- [6] sub-recipient commitment agreements.

c) documents related to research agreements or activities but do not involve payment by either party:

- [1] statement of intent, memorandum of understanding (MOU), letter of intent;
- [2] due diligence forms;
- [3] confidentiality, material transfer, data transfer, inter-institutional agreements;
- [4] declarations for anti-bribery; and/or

[5] assignment of intellectual property.

A.3. Research and Research-Related Intellectual Property

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$2,000,000 and over	One of: <ul style="list-style-type: none"> • VP Research, or • Dean and VP, FHS 	Two of: <ul style="list-style-type: none"> • VP Research • Dean and VP, FHS • Provost • President And, if technology: AVP & CTO	<p>All agreements or documents with 3rd parties must be reviewed by one of the Research Offices (ROADS, MILO, or HRS) in consultation with OLS or Purchasing, as applicable.</p> <p>Thresholds are applied in accordance with the amount contributed by the funder signing the agreement.</p>
Under \$1,999,999	<ul style="list-style-type: none"> • AVP, or • VP 	One of: <ul style="list-style-type: none"> • AVP • VP Research • Dean and VP, FHS • Provost And, if technology: AVP & CTO	<p>If receipt of research funds requires the expenditure of incremental McMaster cash or in-kind resources specific to the proposed research, approval for this incremental contribution will follow the charts in the Authority charts according to the source of the contribution.</p> <p>Refer to article 27 for typical documents signed under Matrix A.3.</p>

A.4. Capital Project Funds and Award of Contracts / Purchase Orders

28. Projects shall only proceed once the appropriate approvals and signatures corresponding to the thresholds in this section have been obtained and shall be in accordance with the [Capital Projects Planning and Implementation Policy](#).
29. When applying the A.4. matrix, the following information applies:
 - a) emergency work may proceed, approved by [VPOF](#) or designate, and reported at the next Planning and Resources Committee (“PRC”) meeting or Board of Governors (“Board”) meeting as appropriate;
 - b) Award of a purchase order, contract, or agreement includes professional consultants, architects, engineers, design consultants, and construction managers;
 - c) cumulative cost overruns exceeding twenty percent (20%) of the original approved overall project budget or ten million dollars (\$10M), whichever is less, require re-approval by the highest original approver;
 - d) Change orders to existing purchase orders, contracts, or agreements which cumulatively do not increase the approved overall project budget do not require reapproval in accordance with the thresholds above; and
 - e) if a revised project value alters to the next or higher approval authority, approval is required from the higher approving authority.

A.4. Capital Project Funds and Award of Contracts / Purchase Orders

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$20 Million and above	Board	<p>One of:</p> <ul style="list-style-type: none"> • President • Provost • VPOF • Board Secretary <p>And two of:</p> <ul style="list-style-type: none"> • AVP & Chief Facilities Officer • AVP & CFO <p>And, if technology: AVP & CTO</p>	Purchase requisition Legal contract or agreement binding the University
\$10 Million up to \$19,999,999	PRC	<p>One of:</p> <ul style="list-style-type: none"> • President • Provost • VPOF • Board Secretary <p>And two of:</p> <ul style="list-style-type: none"> • AVP & Chief Facilities Officer • AVP & CFO <p>And, if technology: AVP & CTO</p>	

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$5,000,000 up to \$9,999,999	VPOF	Two of: <ul style="list-style-type: none"> • President • Provost • VPOF And two of: <ul style="list-style-type: none"> • AVP & Chief Facilities Officer • AVP & CFO And, if technology: AVP & CTO	
\$2,000,000 up to \$4,999,999	VPOF	<ul style="list-style-type: none"> • VPOF And one of: <ul style="list-style-type: none"> • AVP & Chief Facilities Officer • AVP & CFO And, if technology: AVP & CTO	
\$500,000 up to \$1,999,999	AVP & Chief Facilities Officer	One of: <ul style="list-style-type: none"> • VPOF • AVP & Chief Facilities Officer And one of: <ul style="list-style-type: none"> • Director, Design & Construction 	

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
		<ul style="list-style-type: none"> • Director of Finance, Facility Services And, if technology: AVP & CTO	
Under \$500,000	Director, Design & Construction	Two of: <ul style="list-style-type: none"> • AVP & Chief Facilities Officer • Director, Design & Construction • Director of Finance, Facility Services And, if technology: AVP & CTO	

A.5. For Agreements where the University is Receiving Donations, Bequests or Gifts

30. Refer also to the the [Gift Acceptance Policy](#).
31. Acceptance of any gift that involves a proposal for naming shall be done in accordance with the University's [Naming Policy and Procedures](#).
32. As a general practice, for gifts in support of specific areas across the University (e.g., Faculties and units), University Advancement will consult with the respective academic leader to confirm gift acceptance in support of academic priorities and will engage the academic leader for the execution of such agreements, as appropriate.

A.5. For Agreements where the University is Receiving Donations, Bequests or Gifts

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$1 Million and above	President	Both: <ul style="list-style-type: none"> • President • Vice-President, University Advancement 	<i>Gift Acceptance Policy</i> <i>Naming Policy and Procedures</i>
Under \$1,000,000	Vice-President, University Advancement	Vice-President, University Advancement	

A.6. Real Estate and Leases

33. The review of real estate and leasing transactions will include assessing the University's tax, filing, and reporting obligations. It will also include a review of the alignment of the transaction with the mission of the University, the planning fit, economic return and risk review.
34. Purchase and disposition of real estate holdings will follow the same approval process.
35. All lease contracts and agreements for real estate (purchase or sale) must be reviewed by the Departments of Financial Affairs, Real Estate, Ancillary Operations and Partnerships (REAP), and [OLS](#).
36. Agreements related to leasing University-owned or controlled facilities, equipment, or resources by a third party shall use the [A.1. matrix](#).

Private-Public Partnerships

37. The [AVP & CFO](#), AVP & Chief Facilities Officer, and [AVP REAP](#) must be consulted for any Private-Public Partnerships ("P3s") involving real estate or lease agreements.
38. Approvals of P3s will follow the A.6. matrix outlined below, and the dollar value considered will be the full project scope.

A.6. Real Estate and Leases

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
\$10 Million and above	Board	<p>One of:</p> <ul style="list-style-type: none"> • VPOF • Provost • President • Board Secretary • Board Chair <p>And two of:</p> <ul style="list-style-type: none"> • AVP & CFO • AVP REAP 	<ul style="list-style-type: none"> • Lease Agreement • Purchase and sale agreements
\$5 Million and up to \$9,999,999	PRC	<p>One of:</p> <ul style="list-style-type: none"> • President • Provost • VPOF • Board Secretary <p>And two of:</p> <ul style="list-style-type: none"> • AVP & CFO • AVP REAP 	

Dollar Threshold	Approval Authority	Execution Signatory	Process of Implementation or Document Used
Under \$5 Million	VPOF * PRC must be notified of the agreement or transaction during its next scheduled meeting.	<ul style="list-style-type: none">• VPOF, and• AVP REAP And one of: <ul style="list-style-type: none">• President• Provost	

Section E: Human Resources Contracts and Payments

39. Employment-related contracts/agreements will follow collective agreement provisions as ratified by the Board of Governors, or defined salary policies or guidelines such as the applicable policies governing compensation discussions for members of the McMaster University Faculty Association and the Terms of Reference of the Human Resources Committee of the Board of Governors.
40. This Policy delegates responsibility for payroll activities to the AVP & CHRO. Due to the nature and scale of payroll activities (described in articles 42-43), no approval thresholds are established.
41. The AVP & CHRO will execute remittances arising from the University's obligations under collective agreements, including union dues and other third-party payments generated by payroll activities. Remittances will also be executed for payments made per policies related to employment terms and conditions for non-unionized employee groups such as The Management Group (TMG) and Senior Administrative Leaders (SAL), as approved by the Board of Governors and within applicable Federal or Provincial legislation.
42. The AVP & CHRO will execute remittances to the Receiver General, Ontario Ministry of Finance, or other applicable provincial authorities as required by law for payroll. This includes remittances such as:
 - a) Canada Pension Plan;
 - b) Employment Insurance premiums;
 - c) Income Tax;
 - d) Employer Health Tax;
 - e) Workplace Safety and Insurance Board (WSIB) premiums; and/or

- f) Other contributions as required by Federal or Provincial legislation.
43. The AVP & CHRO will execute remittances for monthly or quarterly payments to approved employee benefit and insurance providers (such as health, dental, group RRSP, group life insurance, pension, post-retirement benefits, and liability insurance plans) for delivery of contracted services.
44. Approval of benefits, benefits administration, and insurance contracts awarded through the Request for Proposal process will follow the [A.1. matrix](#) in this Policy.

Appendix A: Related Policies and Legislation

- [Board of Governors By-Laws](#)
- [Capital Projects Planning and Implementation Policy](#)
- [Conflict of Interest in Research, Statement on](#)
- [Conflict of Interest Policy for Employees](#)
- [Construction and Maintenance Projects, Approval Authorities for](#)
- [Ethics for Senior Executive Officers, Statement on](#)
- [Gift Acceptance Policy](#)
- [Intellectual Property Policy](#)
- [Internal Audit Department Policy Statement](#)
- [McMaster University Act, 1976](#)
- [Naming Policy & Procedures](#)
- [Privacy Management Policy](#)
- [Records Management Policy](#)
- [Strategic Procurement \(SP-01\) Policy](#)