

**Subject:** Public Code of Conduct Report**Recommendation:**

**BE IT RESOLVED THAT Council receive Report #2020-0149-Chief Administrative Officer for information purposes; and THAT the proposed Public Code of Conduct be approved.**

**Executive Summary:**

The onset of the Covid-19 pandemic has undoubtedly increased stress, anxiety and exacerbated mental health issues across Canada. Town staff have noticed a significant increase in the amount of conflict, bullying, harassment, ridicule and general opposition from members of the community as staff attempt to provide services. While the root cause of this behavioural shift may be understandable, the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended, makes it clear that an employer must provide a safe and harassment free work environment.

As such, Town administration recommends to Council the approval and adoption of the attached Public Code of Conduct. The purpose of the Code is to ensure that staff are free from bullying, harassment and discrimination while providing public services. The proposed Code of Conduct clearly communicates the steps to be taken if and when breaches occur, which potentially include blocks on electronic and telephone communication with staff, and/or the issuance of short term bans or longer term trespass orders at Town facilities.

**Background:**

Over the years, various situations have arisen where a member of the public has become belligerent, threatening, demeaning or otherwise employed inappropriate language and behaviour towards Town staff. Fortunately, these have been relatively rare occurrences, however there is widespread sentiment amongst staff that the frequency and severity of such behaviour has increased since the start of the pandemic.

The Town has an existing Workplace Violence and Harassment Policy, S101-16, which partially applies to problematic behaviour, however this policy is binding upon staff, and offers no real enforcement mechanism against offending members of the

public. By clearly stating and communicating expectations around behaviour, it is hoped that the proposed Public Code of Conduct will deter inappropriate behaviour. Where the existence and communication of the Code is inadequate to stop inappropriate behaviour, the Code provides clear steps to the Town's Senior Leadership Team on when and how to proceed with communications bans and/or trespass orders, as appropriate.

### **Analysis:**

The purpose of the attached policy is to clearly define a Code of Conduct for community members accessing Town services, and outline procedures for dealing with inappropriate behaviour arising from the use of Town services.

The policy covers all municipal property and special events and covers staff working out in the community at large (such as bylaw officers while on patrol, building inspections, parks staff, aquatics staff, etc.). The policy includes examples and the processes in place for staff in dealing with incidents from minor to major cases requiring a trespass order. Only the Fire Chief or Town Bylaw Enforcement Officers may issue trespass orders. The policy also covers incidents which occur during special events, on social media, traditional written communications and by phone.

### **Financial Considerations:**

The cost of implementing the Public Code of Conduct is minimal. Some amount of signage and publicity will be necessary for high traffic public areas in Town facilities. The cost of producing the signage will be absorbed by existing Town budgets or it could also be covered under the Covid-19 expenses which will be funded by the Phase II COVID-19 grant. Costs of communicating the existence of the new Code to the public will be absorbed by the existing advertising/communications budget.

Staff are looking into training in de-escalation techniques and/or Violence and Harassment Policy refresher training. These are unbudgeted items and will be initially paid for from the Human Resources budget, however because they are Covid-19 related the Town will attempt to obtain funding for them through phase II of the Covid-19 funding from the upper levels of government. Both training and Code related communications will be pursued in the late fall.

### **Alternatives Reviewed:**

Technically, maintaining the status quo is a viable option, however staff are looking for protection from inappropriate behaviour and this Code is a modified version of one enacted recently by the City of Elliott Lake, which has been experiencing similar

issues. As the employer, the Town has legal obligations to protect staff, which will require other positive steps to be taken in the event that Council does not endorse the attached Code.

### **Strategic Plan Relationship: Strong Organization**

This proposed Public Code of Conduct supports two strategic priorities: as part of the risk management framework and supporting a strong organization by ensuring that all Town facilities are safe places to work.

### **Consultation:**

The Town of Elliott Lake's Public Code of Conduct and attendant CAO report were used as source material. All members of SLT were consulted in the drafting of this report and the proposed Code.

### **Other Pertinent Reports/Attachments:**

Draft Policy – Public Code of Conduct

### **Prepared and Submitted by:**

David Cribbs, BA, MA, JD, MPA  
Chief Administrative Officer