

Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement

Whereas all Ontarians deserve and expect a safe and respectful workplace;

Whereas, municipal governments, as the democratic institutions most directly engaged with Ontarians, including municipal staff, need respectful discourse;

Whereas, several incidents in recent years of disrespectful behaviour and workplace harassment have occurred amongst members of municipal councils;

Whereas, these incidents seriously and negatively affect the people involved and lower public perceptions of local governments;

Whereas AMCTO members are the municipal staff, managers, and senior leaders who may also be impacted by the disrespectful behaviour of members of council impacting morale and well-being;

Whereas AMCTO remains concerned about the changes to council-staff and mayor-staff relations as a result of strong mayor legislation which has led to fraying relationships and organizational repercussions in some municipalities that have implemented strong mayor powers;

Whereas ensuring a strong, stable, and sustainable municipal administration for many years to come is critical for the continued efficient and effective program and service delivery undertaken by municipal public servants on behalf of the municipalities for which they work;

Whereas AMCTO members are the municipal staff who support implementation of Codes of Conduct and related policies, procedures and processes;

Whereas, municipal Codes of Conduct are helpful tools to set expectations of council member behaviour;

Whereas, municipal governments do not have the necessary tools to adequately enforce compliance with municipal Codes of Conduct;

Now, therefore be it resolved that AMCTO supports the call of Women of Ontario Say No and Association of Municipalities of Ontario to introduce legislation to strengthen municipal Codes of Conduct in consultation with municipal governments and municipal staff and AMCTO;

Also be it resolved that the legislation encompass:

- Updating municipal Codes of Conduct to account for workplace safety and harassment and council-staff relations.
- Increasing training of municipal Integrity Commissioners to enhance consistency of investigations and recommendations across the province;
- Requiring mandatory training of all members of council, including the head of council, to promote understanding their responsibility to ensure a respectful workplace and their roles in the municipality;
- Ensuring that any remedial mechanism implemented to enforce the codes of conduct avoid placing:
 - municipal staff in situations where they may be in conflict with members of council;
 - additional administrative and operational burden on municipal staff;
- Ensuring that there is a mechanism through which municipal staff, including Chief Administrative Officers (CAO), receive support, advice and access to remedial measures to manage problematic interactions with members of council;
- Reinstating the independent and impartial role of the CAO and make the hiring of a CAO mandatory returning the appointment power to council.
- Clarifying the roles of CAO and head of council as Chief Executive Officer (CEO) to distinguish between administrative and political responsibilities and codifying CAO responsibilities.
- Clarifying the roles and responsibilities of staff and council to distinguish between providing strategic oversight and implementing administration and operations.

Approved: January 19, 2024