



Métis Nation of Ontario

# CODE OF CONDUCT

## EXECUTIVE SUMMARY

April 2022

### BACKGROUND

The Métis Nation of Ontario (MNO) is a Métis government that works to advance the rights, priorities and interests of Métis communities and citizens in Ontario. Guiding this work over the course of the last 28 years is the MNO Statement of Prime Purpose, the MNO's foundational governance document, which outlines key principles and objectives including:

*"We are inspired by the values and traditions of our ancestors. The strength of our society is based on democracy, freedom, fairness, equality, generosity, justice and the customary and written law of our people. Above all, we cherish harmony and peace"*

As the MNO has continued to grow and strengthen its governing structures, we have heard from elected leadership, council members and citizens about the need for a Code of Conduct to foster and facilitate respectful and constructive interactions required for effective and democratic MNO governance. Based upon this direction, input from a citizen survey and several meetings with the Provisional Council of the MNO (PCMNO) the MNO has been working to develop a draft Code of Conduct (the Code) document.

On February 5, 2022, PCMNO approved a draft of the Code and is now initiating a broader engagement processes inviting feedback from all community councils, advisory councils and citizens. Feedback from this engagement will be incorporated into a final version of the Code that will be ratified at a future MNO AGA.

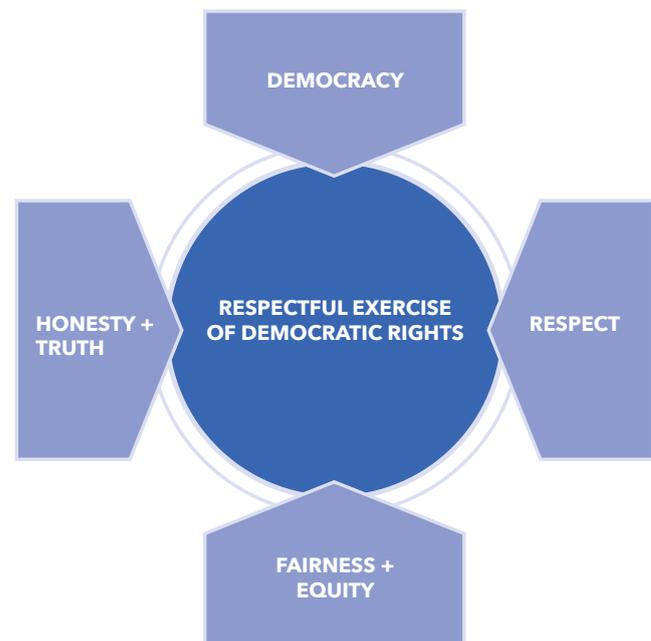
### CODE SUMMARY

#### Purpose and Application

The Code is built on a foundation of MNO core values and principles from the *MNO Statement of Prime Purpose*: democracy, respect, fairness and equality, and honesty and truth. It sets standards for the behaviour of all MNO citizens, including MNO elected officials, in their interactions with each other when participating in the collective work of the MNO.

The Code aims to facilitate the respectful exchange of ideas and perspectives and provides a mechanism to hold citizens accountable for their words and actions to one another. The Code **does not** attempt to restrict the freedom of expression or speech of MNO citizens. It **does not** attempt to stifle debate; rather, it is intended to create positive spaces where MNO citizens can respectfully exchange ideas and exercise their democratic rights.

The Code will apply to all MNO citizens, including elected officials, with respect to all conduct which has a significant



connection to MNO governance activities including all MNO meetings, other MNO-sanctioned events, and online conduct (Facebook, Twitter, e-mail etc.) related to MNO governance.

## Standards of Conduct

The Code sets standards for MNO citizen conduct that flow from MNO core values and principles from the *MNO Statement of Prime Purpose*. All MNO citizens, including elected officials, are expected to hold themselves to the following standards of conduct:

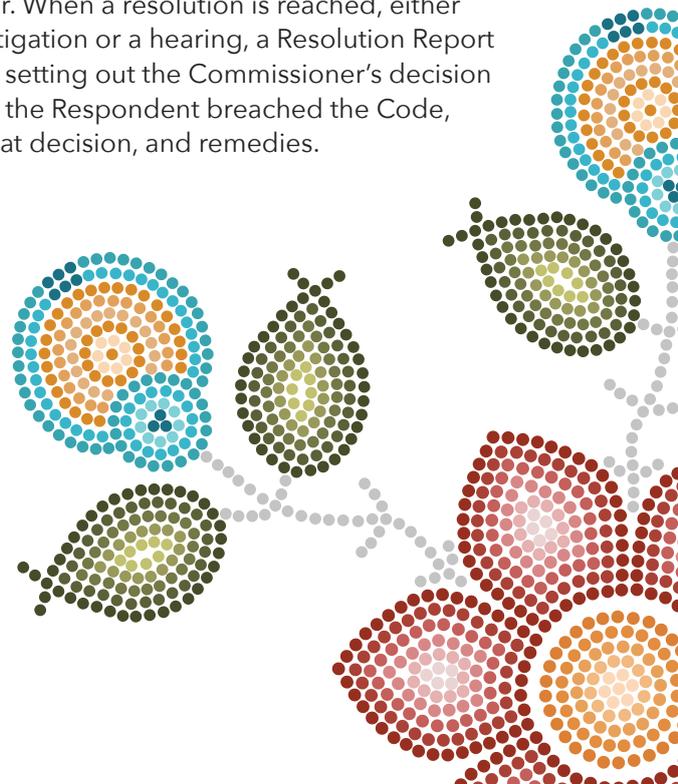
1. Listen to and acknowledge other peoples' opinions, beliefs, experiences, and points of view to allow for the full and free expression and participation of all MNO citizens.
2. Do not harass or discriminate against other MNO citizens through conduct or comment which is degrading, malicious, racist, sexist, or otherwise abusive.
3. Do not physically or verbally threaten any other MNO citizen.
4. Refrain from any behaviour that constitutes sexual harassment such as:
  - a. Sexist jokes.
  - b. Unwelcome sexual comments and sexual advances.
  - c. Persistent unwanted contact.
  - d. Using power or authority to coerce another person to engage in inappropriate activities.
5. Refrain from disclosing another person's private information without permission.
6. Refrain from misusing or disrespecting the processes of this Code through behaviour such as:
  - a. Bringing unfounded complaints with malicious, frivolous, or vexatious intent.
  - b. Failure to comply with the reasonable requests of the Office of Ethics and Integrity.
  - c. Failure to attend meetings or hearings regarding alleged breaches of this Code.
  - d. Retaliation against any participant in the Code process.
  - e. Failure to comply with remedies or resolutions under the Code.

## Conflict Resolution

The Code creates a new Office of Ethics and Integrity (the "Office"), which will be led by a Commissioner. The Office will be responsible for implementing the conflict resolution processes set out in the Code. Under the Code, MNO citizens who reasonably believe that the Code has been breached can file a complaint with the Office. The Office will review complaints to determine if they fall within the scope of the Code. Complaints that fall outside the scope of the Code can be referred to a Resolution Advisor, which is an MNO citizen trained by the Office to assist in conflict resolution. For complaints that fall within the scope of the Code, the Office will determine the appropriate resolution process which may include restorative justice, formal mediation, investigation, or a hearing.

Whenever possible, and if the Complainant (the person who made the complaint) and the Respondent (the person against whom the complain was made) agree, complaints will be resolved cooperatively, either through restorative justice processes or formal mediation.

For complaints where cooperative resolution is not appropriate, or the Complainant and Respondent cannot come to a resolution after cooperative dispute resolution processes, the Office will initiate an investigation. After an investigation, the complaint will either be resolved or referred to a hearing by the Commissioner. When a resolution is reached, either after an investigation or a hearing, a Resolution Report will be issued setting out the Commissioner's decision as to whether the Respondent breached the Code, reasons for that decision, and remedies.



## Remedies

The Code sets out a non-exhaustive list of remedies that can be imposed for breaches of the Code. These remedies may form part of any cooperative resolution agreed to by the Complainant and the Respondent. Remedies may include:

- Verbal warning
- Written warning
- Requiring an apology to the Complainant
- Completing treatment or counselling programs
- Public statement
- Community service
- Temporary suspension or removal from office (for elected officials)
- Exclusion from certain MNO activities

## Appeals

The most serious remedies carry an automatic right of appeal to a panel of Resolution Advisors. In all other cases, the Respondent may request that the Commissioner's decision be reviewed by the Appeal Panel if certain grounds are met.

## MNO GOOD GOVERNANCE AND NATION BUILDING

The Code will work alongside other MNO laws, policies, and processes to enable effective and democratic MNO governance and nation building as MNO works towards self-governance.

In particular, the Conflict of Interest and Confidentiality Policy for MNO elected officials will ensure that MNO can provide transparent and accountable government by requiring that elected officials perform their duties and exercise their powers in accordance with the Métis values set out in the *MNO Statement of Prime Purpose*.

Furthermore, the Métis Rules of Order will support MNO nation building efforts by providing procedures and rules for meetings to ensure that meetings are orderly, focused, efficient, inclusive, courteous, and respectful. Based on the *MNO Statement of Prime Purpose*, the procedures and rules in the Métis Rules of Order are intended to help make the MNO a cohesive, caring, and knowledge-driven democracy.

