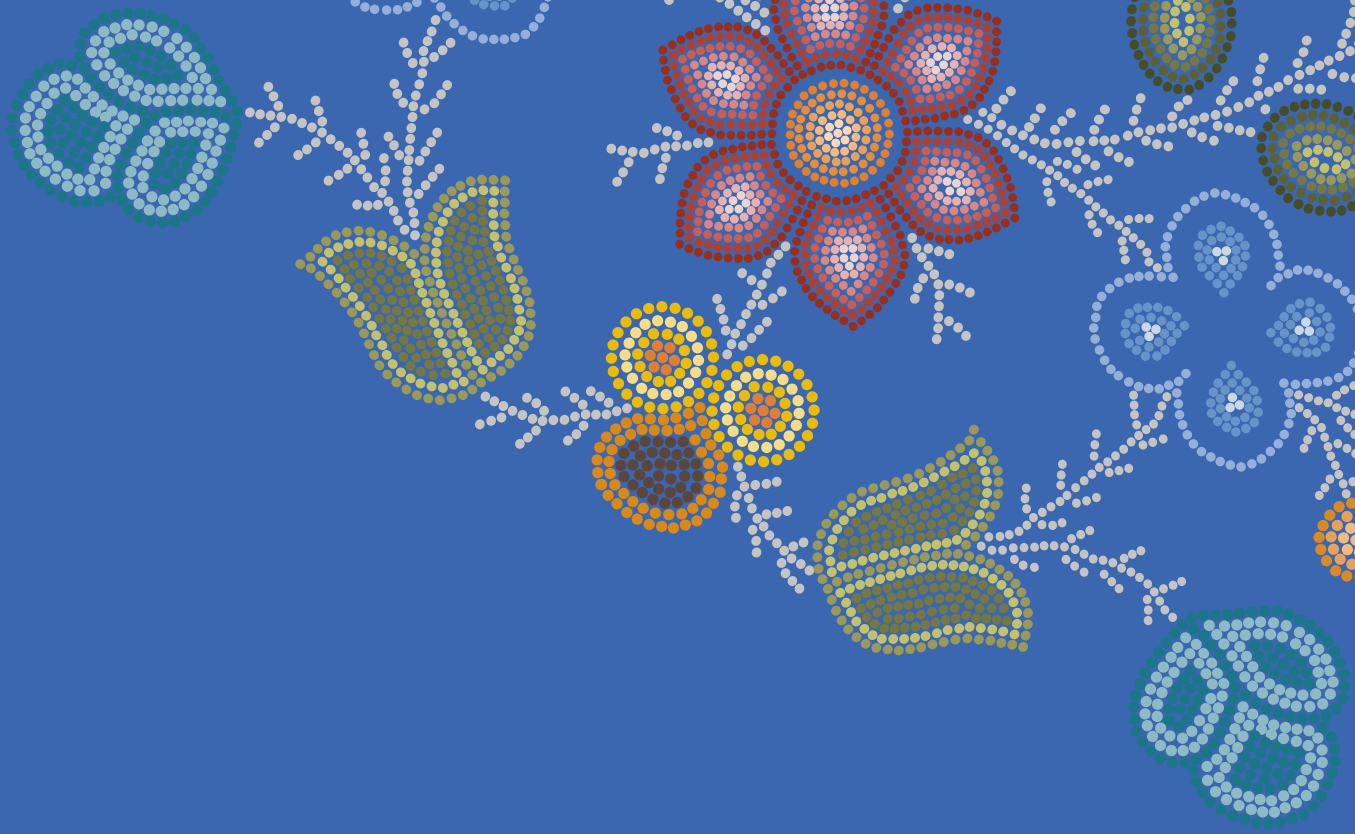




Métis Nation of Ontario

CODE OF CONDUCT

EXECUTIVE SUMMARY

Approved by the Annual General Assembly
on August 17, 2024

Métis Nation
of Ontario 

BACKGROUND

The Métis Nation of Ontario (MNO) is a Métis government that is mandated to advance the rights, priorities, and interests of its Citizens and the Métis communities in Ontario it represents. Since its inception in 1993, the MNO has built a strong, province-wide Métis government for its Citizens and the Métis communities in Ontario represented by the MNO.

The MNO has established governance structure at the provincial (e.g., the Provisional Council of the Métis Nation of Ontario, or PCMNO), regional (e.g., Regional Councilors and Regional Consultation Committees), and local levels (e.g., MNO Chartered Community Councils) to represent MNO Citizens wherever they live in Ontario. These governance structure all consist of Métis leaders that are democratically elected by the constituency of MNO Citizens they represent. Each year, the MNO holds an Annual General Assembly (AGA), which all MNO Citizens are invited to, in order to discuss the previous year's progress and to set priorities for the year ahead. The AGA is the highest authority within the MNO.

Guiding all this work over the course of the last 30+ years is the [Statement of Prime Purpose](#) which outlines key Métis principles and values, including that:

"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. . .

We have respect for each other, for the land and for the animal and plant life that surrounds us. We are people who honour and respect the family, our elders, who hold the key to the past, and our children, who are our future. Guided by our spiritual values we aspire to attain our highest potential."

As the MNO has continued to grow and strengthen its governing structures, we have heard from MNO Citizens and MNO elected leaders and officials about the need for a Code of Conduct to foster and facilitate respectful and constructive interactions required for effective and democratic governance. Based upon this direction, input from a Citizen survey and several meetings with the PCMNO, the MNO began working to develop a draft Code of Conduct (the Code).

On February 5, 2022, PCMNO approved a draft of the Code and MNO administration subsequently initiated a broader engagement processes inviting feedback from all MNO Chartered Community Councils, advisory councils, and MNO Citizens. Feedback from this engagement was considered and incorporated into a final version of the Code, which was presented to and approved in-principle by the PCMNO on July 10, 2024¹.

Following the PCMNO's approval, the Code was taken to and ratified by MNO Citizens at the AGA on August 17, 2024².

¹ PCMNO motion PC240710-04.

² AGA resolution AGA240817-04.

CODE SUMMARY

Purpose and Application

The Code is built on a foundation of core Métis values and principles from the *Statement of Prime Purpose*, including: democracy, respect, fairness and equality, and honesty and truth. Similar to the way MNO's workplace policies guide conduct within MNO's workplaces, the Code sets out expectations for standards of behaviour of all MNO Citizens, including MNO elected leaders and officials, in their interactions with each other when participating in the collective work on behalf of the MNO.

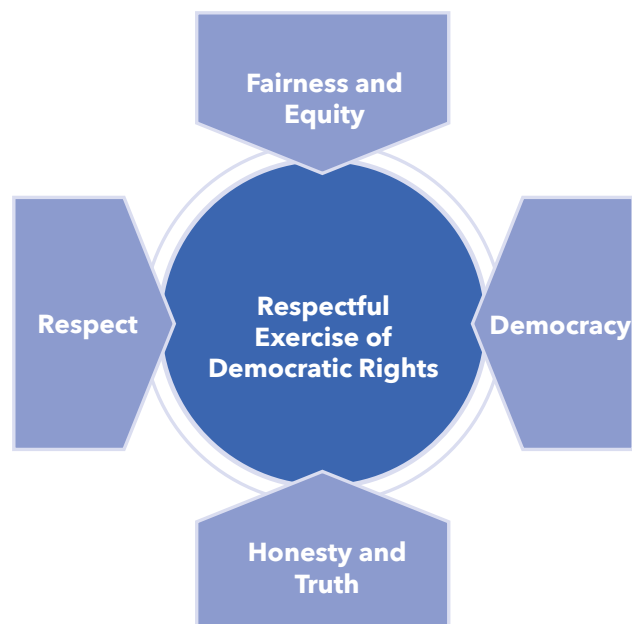
The Code, alongside other MNO governance policies and tools such as the Métis Rules of Order, aims to facilitate the respectful exchange of ideas and perspectives and provides a mechanism for all MNO Citizens – regardless of whether they are serving in an elected office or not – to be aware of the standards their conduct will be held to and be 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 or discussion; rather, it is intended to create positive spaces where MNO Citizens can respectfully exchange ideas and exercise their democratic rights.

The Code applies to all MNO Citizens, including elected leaders and officials, with respect to all conduct which has a significant connection to MNO governance activities including in:

- all MNO meetings, including meetings of PCMNO, Regional Consultation Committee meetings, MNO Chartered Community Council meetings, MNO advisory council meetings, the AGA, etc.;
- other MNO-hosted or MNO-approved events (e.g., community events sponsored by the MNO or MNO Chartered Community Councils); and
- online conduct related to MNO social media posts, including interacting with social media accounts of MNO Chartered Community Councils or MNO advisory councils (e.g., on Instagram, Facebook, Twitter, e-mail etc.).

While it is not possible to list every circumstance that has a significant connection to MNO governance activities, MNO Citizens are expected to exercise good judgement in considering if their conduct in any given circumstance could negatively reflect on the MNO or negatively affect other MNO Citizens. If so, there is a reasonable chance that a significant connection to MNO governance activities exists.



MNO Good Governance & Ongoing Self-Government Work

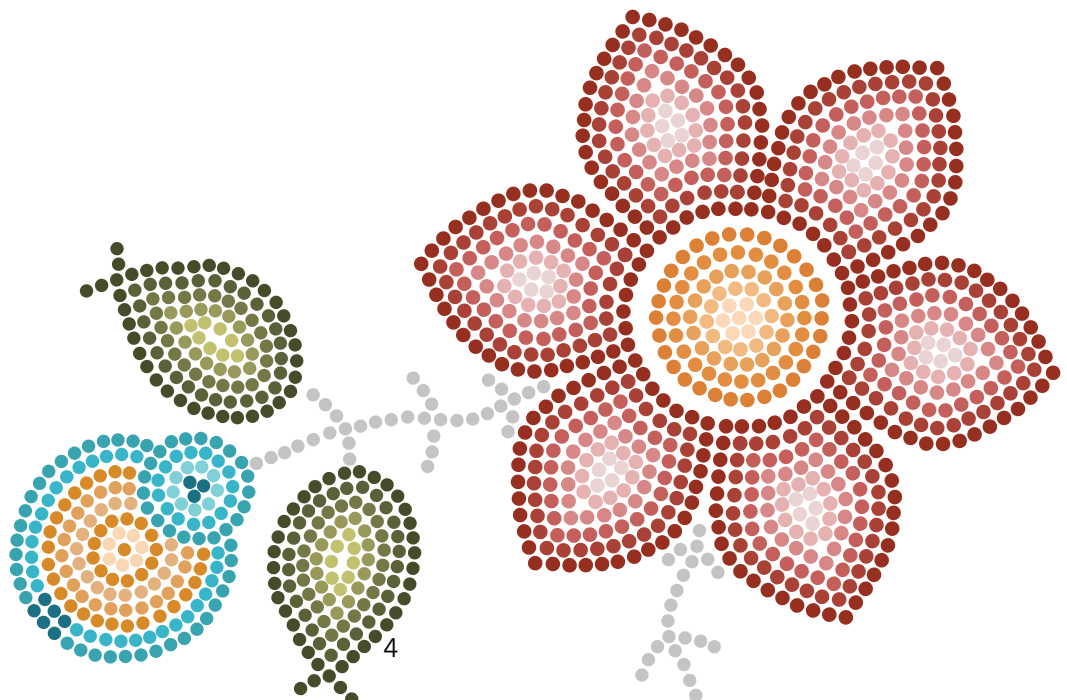
The Code will work alongside other MNO laws, policies, and processes to enable effective and democratic MNO governance, as part of the MNO's overall self-government evolution and activities.

In particular, the MNO is currently developing a Conflict of Interest Policy and a Confidentiality Policy for MNO elected leaders, officials, and staff to ensure that MNO can continue to provide transparent and accountable governance, in accordance with the Métis values set out in the *Statement of Prime Purpose*. This Code is meant to operate hand-in-hand with these other MNO policies (once approved).

In addition, the MNO is finalizing a Métis Rules of Order that will support MNO by providing clear procedures and rules to ensure that MNO meetings (including PCMNO meetings, MNO Chartered Community Council meetings, advisory group meetings, etc.) are orderly, focused, efficient, inclusive, courteous, and respectful. Similar to this Code, the Métis Rules of Order are based on the values in the *Statement of Prime Purpose*, and are intended to help ensure that the MNO continues to provide meeting spaces that are inclusive, caring, and allow for equitable participation and a knowledge-driven democracy.

A diagram illustrating how the MNO's laws, policies, and other governance processes all work together as part of the MNO's evolving self-government implementation is illustrated on the last page of this Executive Summary.

The Code and dispute resolution processes outlined under it are a part of the MNO's internal governance processes and ongoing self-government initiatives. For greater certainty, the Code and dispute resolution processes under it are not meant to replace or interfere with any other external dispute resolution process that may be initiated by or involving an MNO Citizen, including but not limited to any criminal or human rights complaints in Canadian law.



Standards of Conduct

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

1. be open minded - 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. be kind - do not bully, harass or discriminate against other MNO Citizens through conduct or comments which are 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. making sexist jokes;
 - b. unwelcome sexual comments and sexual advances;
 - c. persistent unwanted contact (including online via email, direct messages, text, or on other social media platforms);or
 - d. using power or authority to coerce another person to engage in inappropriate activities;
5. be respectful in any disagreements or debates and refrain from making negative or hurtful comments about others;
6. be responsible - refrain from disclosing another person's private, personal, sensitive, or confidential information without permission;
7. be accountable and honest - do not misuse, abuse or disrespect the processes of this Code through behaviour such as:
 - a. bringing unfounded, ungrounded or untrue complaints with malicious, frivolous, or harmful intent;
 - b. failing to comply with the reasonable requests of the MNO Office of Ethics and Integrity, once formed (and in the interim the MNO Community Relations Branch);
 - c. failing to attend meetings or hearings regarding alleged breaches of this Code;
 - d. retaliating against any participant engaged in investigations or enforcement of the Code; or
 - e. failing to comply with any remedies or resolutions ordered under the Code.

MNO elected leaders and officials also have important duties as elected officials, including fiduciary duties, and are held to a higher standard of conduct for matters such as financial management of the MNO, maintaining confidentiality, and avoiding conflicts of interest which they are required to uphold, in addition to the obligations under this Code. For greater certainty, breaches of those duties or standards of conduct by MNO elected leaders and officials may also be considered a breach of this Code and whether someone holds a role as an MNO elected leader or official may be considered for the purposes of any remedies or resolution required.

Conflict Resolution

The Code provides for the creation of a new MNO Office of Ethics and Integrity (the MNO Integrity Office), which will be led by a Commissioner. Once established, the MNO Integrity Office will be responsible for implementing the conflict resolution processes set out in the Code. In the interim, the MNO Community Relations Branch will facilitate the implementation of the Code.

As outlined above, all MNO Citizens should take personal responsibility for ensuring that their conduct and actions align with the principles and standards set out in this Code. Our first accountability as Métis Citizens is always to each other and our communities and we should model the behaviour that we expect to see in others.

With that said, MNO Citizens who reasonably believe that this Code has been breached can file a request with the MNO Integrity Office for the Office to review the conduct in question. When a request to review a particular alleged breach of this Code is received, the MNO Integrity Office will take the following steps:

1. The Office will do an initial review of the request and conduct in question to determine if it falls within the scope of the Code (e.g., does the alleged conduct relate to the standards of conduct outlined in this Code).
2. Where a request is related to conduct that falls outside of the scope of the Code, the Office will reply to the individual who brought the request to inform them of this, and may outline other options to resolve the issue, depending on the nature of the issue.
3. Where a request is related to conduct that falls within the scope of the Code, the Office or Commissioner will determine the appropriate resolution process, which may include: restorative justice; formal or informal mediation; or further investigation or a hearing by the Commissioner.

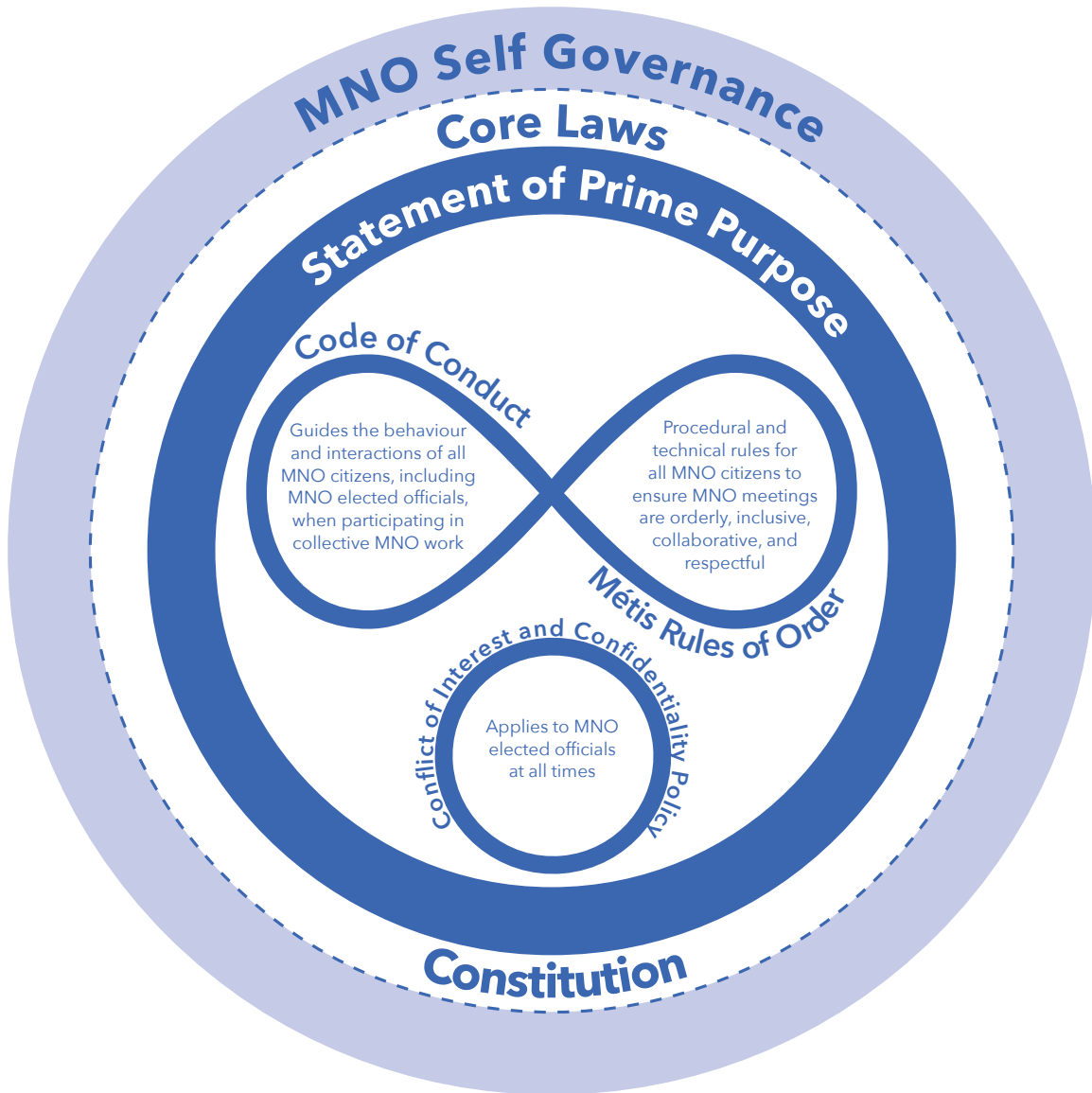
Wherever possible, and if the Complainant (the person who made the complaint) and the Respondent (the person against whom the complaint was made) agree, alleged breaches of this Code will be resolved cooperatively, either through restorative justice processes or formal/informal mediation. For cases where cooperative resolution is not appropriate, or the Complainant and Respondent cannot come to a resolution after cooperative dispute resolution processes, the MNO Integrity Office may initiate an investigation and prepare a report outlining their conclusion on whether a breach of this Code occurred and any applicable remedies.

Remedies

The Code sets out a non-exhaustive list of remedies that can be imposed for breaches of the Code, including:

- Verbal or written warning
- An apology, or public statement
- Completing treatment, counselling, or community service
- Exclusion from certain MNO activities
- Temporary suspension of MNO Citizenship privileges, including eligibility to run for elected office for a term
- Temporary suspension or removal from office and bar from running for election for a term (for MNO elected leaders and officials consistent with the MNO Bylaws)

The Code also provides for an appeal process where the Respondent may request that the Commissioner's decision be reviewed by an Appeal Panel if certain grounds are met (as further outlined in the Code).

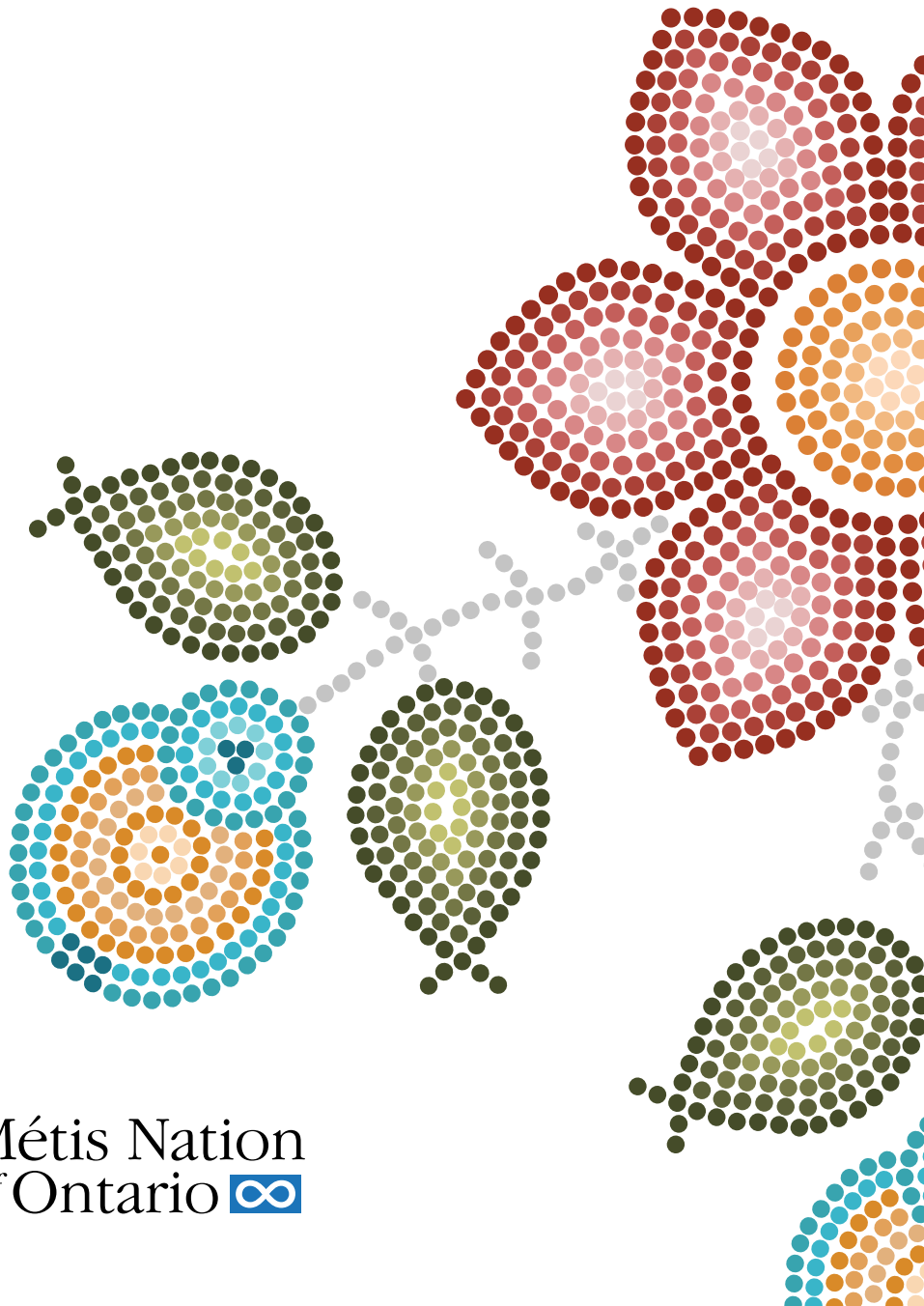


Métis Nation of Ontario

CODE OF CONDUCT

A Guide for Living Together in Good Relations

Approved by the Annual General Assembly
on August 17, 2024



CODE OF CONDUCT

A Guide For Living Together in Good Relations

PCMNO Approved in-principle on July 10, 2024³

AGA Resolution Approval on August 17, 2024⁴

1. EFFECTIVE DATE

The Métis Nation of Ontario (the “**MNO**”) *Code of Conduct: A Guide For Living Together in Good Relations* (the “**Code**”) was approved, in-principle, by the Provisional Council of the Métis Nation of Ontario (the “**PCMNO**”) on July 10, 2024.

The Code was approved by the MNO Annual General Assembly (the “AGA”) on August 17, 2024. The Code replaces all former codes of conduct for the MNO and comes into effect upon a date to be determined by the PCMNO.

2. PURPOSE

The purpose of this Code is to set out the expected standards of behaviour of all MNO Citizens, including MNO elected leaders and officials, in their interactions with each other when participating in the collective work of or on behalf of the MNO. This Code is built on the foundation of core Métis values and principles identified in the *Statement of Prime Purpose*, including democracy, respect, fairness and equality, and honesty and truth.

The Code, alongside other MNO governance policies and tools such as the Métis Rules of Order, aims to facilitate the respectful exchange of ideas and perspectives based on Métis values and traditions while also helping to ensure that MNO Citizens are accountable for their words and actions to one another. It serves to create a clear expectation of all MNO Citizens responsibility to maintain positive and respectful spaces for discussion, innovation, and community development within the MNO, as a part of the MNO’s overall self-governance and self-determination.

The Code does not attempt to restrict the freedom of expression or speech of MNO Citizens. It does not attempt to stifle debate or discussion; rather, it is intended to create positive spaces where MNO Citizens can respectfully exchange ideas and exercise their democratic rights including to advocate for change and reform.

3. APPLICATION

The Code applies to all MNO Citizens, including MNO elected leaders and officials (where such officials are also MNO Citizens), in relation to all conduct which has a significant connection to MNO governance activities, including:

- conduct at all MNO meetings, including meetings of the PCMNO, Regional Consultation Committee meetings, MNO Chartered Community Council meetings, MNO Advisory Council meetings, the AGA, and others;

³PCMNO motion PC240710-04.

⁴AGA resolution AGA240817-04.

- all other MNO-hosted or MNO-approved events (e.g., community events sponsored by the MNO or MNO Chartered Community Councils); and
- online conduct related to MNO social media posts, including interacting with social media accounts of MNO Chartered Community Councils or MNO advisory councils including social media (Instagram, Facebook, Twitter etc.) and e-mails related to MNO governance activities.
- While it is not possible to list every circumstance that has a significant connection to MNO governance activities, MNO Citizens are expected to exercise good judgement in considering if their conduct in any given circumstance could negatively reflect on the MNO or negatively affect other MNO Citizens. If so, there is a reasonable chance that a significant connection to MNO governance activities exists.

4. DEFINITIONS

“bullying and harassment” includes but is not limited to any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to a person.

“discrimination” includes but is not limited to any form of unequal treatment or act of discrimination based on a protected ground under the *Canadian Human Rights Act*. Such improper conduct may be intentional or unintentional. This currently includes actions, decisions or conduct taken on account of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

“MNO Citizen” means an individual who has applied for and meets the requirements for citizenship as set out in the MNO’s constituting documents (e.g., the MNO bylaws, MNO Registry policy, etc. as approved by the AGA and amended from time to time) and whose name has been added to the Register.

“MNO elected leaders and officials” means elected or appointed members, councilors, directors or trustees of any MNO institution, including the PCMNO and for greater certainty also includes any directors or officers of any MNO Economic Development Structure as defined in the *MNO Prosperity and Self Sufficiency Law* provided that such officials are also MNO Citizens.

“private, personal, sensitive, or confidential information” includes any personal information about an MNO Citizen that is non-public, whether in written, electronic, or oral form, that a person would reasonably expect to be kept confidential, whether marked or noted as confidential or not, and in respect of which a person would have a reasonable expectation of privacy.

“sexual harassment” includes but is not limited to engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and who knows or ought reasonably to know that the solicitation or advance is unwelcome.

5. METIS PRINCIPLES & VALUES FOR LIVING TOGETHER IN A GOOD RELATIONS

All MNO Citizens, including MNO elected leaders and officials, are responsible for conducting themselves in a way that upholds and advances this Code and the Statement of Prime Purpose.

As one of the MNO's founding governance documents, the Statement of Prime Purpose outlines key Métis principles and values that continue to guide the MNO today, including that:

"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. . .

We have respect for each other, for the land and for the animal and plant life that surrounds us. We are people who honour and respect the family, our elders, who hold the key to the past, and our children, who are our future. Guided by our spiritual values we aspire to attain our highest potential."

The core Métis values and traditions recognized in the *Statement of Prime Purpose* are a compass to guide the MNO, including all MNO Citizens, MNO elected leaders and officials, in everything we do. These Métis values include (among other things):

- **Democracy:** MNO's democratic system is fundamental to our governance. MNO Citizens are encouraged to fully participate in MNO's democratic process and functions, and to encourage their fellow citizens to do the same.
- **Respect:** Treating all people with respect, dignity, and fairness is fundamental to the relationship of MNO Citizens with each other and contributes to a safe and healthy environment that promotes engagement, openness, and transparency. A diversity of views, opinions, and ideas is encouraged as they serve to strengthen our community and promote other values such as democratic governance where various views are shared and respected.
- **Fairness and equality:** Every MNO Citizen who wishes to participate in MNO governance activities must be given the opportunity to do so. All MNO Citizens must be treated equally, regardless of their religion, sex, age, mental or physical ability, gender identity, sexual orientation, marital or family status, or other differences. The MNO also recognizes that equal treatment is not always equitable, and, as a Métis government, is committed to working together with MNO Citizens to ensure that they are provided the resources and opportunities they need to support their equitable ability to participate in the MNO.
- **Honesty and truth:** MNO Citizens must always act with integrity and good intentions, speak the truth and refrain from personal attacks, hurtful gossip, and intentionally spreading misinformation.

It is by honouring these Métis values and traditions that we, as the MNO and MNO Citizens, are able to obtain our highest potential for living and working together in good relations.

6. EXPECTED STANDARDS FOR MNO CITIZEN CONDUCT

Flowing from the Métis core values and principles outlined in the *Statement of Prime Purpose*, all MNO Citizens, including MNO elected leaders and officials, are expected to hold themselves to the following standards of conduct:

- i. **be open minded** - 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;
- ii. **be kind** - do not bully⁵, harass or discriminate⁶ against other MNO Citizens through conduct or comments which are degrading, malicious, racist, sexist, or otherwise abusive;
- iii. **do not physically or verbally threaten any other MNO Citizen;**
- iv. **refrain from any behaviour that constitutes sexual harassment**⁷, such as:
 - a) making sexist jokes;
 - b) unwelcome sexual comments and sexual advances;
 - c) persistent unwanted contact (including online via email, direct messages, text, or on other social media platforms);
 - or
 - d) using power or authority to coerce another person to engage in inappropriate activities;
- v. **be respectful** in any disagreements or debates and refrain from making negative or hurtful comments about others;
- vi. **be responsible** - refrain from disclosing another person's private, personal, sensitive, or confidential information⁸ without permission;
- vii. **be accountable and honest** - do not misuse, abuse or disrespect the processes of this Code through behaviour such as:
 - a) bringing unfounded, ungrounded or untrue complaints with malicious, frivolous, or harmful intent;
 - b) failing to comply with the reasonable requests of the MNO Office of Ethics and Integrity, once formed (and in the interim the MNO Community Relations Branch);
 - c) failing to attend meetings or hearings regarding alleged breaches of this Code;
 - d) retaliating against any participant engaged in investigations or enforcement of the Code; or
 - e) failing to comply with any remedies or resolutions ordered under the Code.

⁵As outlined in section 4, "bullying" includes but is not limited to any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to a person.

⁶As outlined in section 4 "discrimination" includes but is not limited to any form of unequal treatment or act of discrimination based on a protected ground under the *Canadian Human Rights Act*. Such improper conduct may be intentional or unintentional. This currently includes actions, decisions or conduct taken on account of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.

⁷As outlined in section 4, "sexual harassment" includes but is not limited to engaging in a course of vexatious comment or conduct because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and who knows or ought reasonably to know that the solicitation or advance is unwelcome.

⁸As outlined in section 4, "private, personal, sensitive, or confidential information" includes any personal information about an MNO Citizen that is non-public, whether in written, electronic, or oral form, that a person would reasonably expect to be kept confidential, whether marked or noted as confidential or not, and in respect of which a person would have a reasonable expectation of privacy.

In addition to the above, MNO elected leaders and officials also have important duties as elected officials, including fiduciary duties. This includes being held to higher standards of conduct related to prudent financial management of the MNO, maintaining confidentiality, and avoiding conflicts of interest, among other matters, in addition to the obligations under this Code. For greater certainty, breaches of those duties or standards of conduct by MNO elected leaders and officials may also be considered a breach of this Code and whether someone holds a role as an MNO elected leader or official may be considered for the purposes of any remedies or resolution required.

All MNO Citizens should take personal responsibility for ensuring that their conduct and actions align with the principles and standards set out in this Code. Our first accountability as Métis Citizens is always to each other and our communities and we should model the behaviour that we expect to see in others.

7. CONFLICT RESOLUTION

[Note on Timing and Coming into Effect: All matters in this Code related to the MNO Office of Ethics and Integrity and Commissioner of Ethics and Integrity will come into effect upon a future date, as set out in a PCMNO resolution once the Office is established.

In the interim, all references to the “MNO Office of Ethics and Integrity”, the “MNO Integrity Office”, the “Office” and the “Commissioner” in this Code will mean the MNO Community Relations Branch and a designated staff person or persons therein who will have responsibility for interim implementation of the conflict resolution procedures set out in this Code until such time as the MNO Integrity Office and Commissioner are established.]

MNO OFFICE OF ETHICS & INTEGRITY

The MNO Office of Ethics and Integrity (the “**MNO Integrity Office**” or the “**Office**”) will be responsible for implementing the conflict resolution processes set out in the Code. It will be led by a Commissioner of Ethics and Integrity (the “**Commissioner**”) whose mandate will include sufficient independence from the MNO to be able to investigate matters related to this Code, including as it applies to MNO Citizens who are also MNO elected leaders and officials, with the goal of restoring harmony and peace in accordance with the *Statement of Prime Purpose*

While all MNO Citizens have a personal responsibility to ensure their conduct and actions align with the standards set out in this Code, MNO Citizens who reasonably believe that this Code has been breached can file a request with the MNO Integrity Office for the Office to review the conduct in question by completing the form attached as **Schedule A**.

Requests for review of an alleged breach of this Code must be filed within four months of the alleged misconduct taking place. MNO Citizens are expected to be accountable and honest when filing these requests, and not to misuse, abuse, or disrespect the processes of this Code through behaviour such as bringing unfounded, ungrounded or untrue complaints with malicious, frivolous, or harmful intent. Properly submitted requests will be reviewed, investigated, and resolved in a timely and fair manner.

When a request to review a particular alleged breach of this Code is received, the MNO Integrity Office will take the following steps:

- i. The Office will do an initial review of request and conduct in question to determine if it falls within the scope of the Code (e.g., does the alleged misconduct relate to one of the standards of conduct outlined in this Code).
- ii. Where a request is related to conduct that falls outside of the scope of this Code, the Office will reply to the individual who brought the request to inform them of this, and may outline other options to resolve the issue, depending on the nature of the issue.
- iii. Where a request is related to conduct that falls within the scope of this Code, the Office will determine the appropriate resolution process, which may include: restorative justice; formal or informal mediation; or further investigation or a hearing by the Commissioner. In making this determination, the Office will be guided by factors such as the seriousness of the alleged breach, any history of past or repeated breaches (either alleged or established)⁹, and the willingness of the parties involved to try and resolve the issue through cooperative means (e.g., restorative justice or mediation).

Restorative Justice or Mediation

Wherever possible, and if the Complainant (the person who made the complaint) and the Respondent (the person against whom the complaint was made) agree, alleged breaches of this Code will be resolved cooperatively, either through restorative justice processes or mediation (informal or formal). These processes offer a forum (facilitated by the Office or Commissioner) for the Complainant and the Respondent to discuss the complaint and the impact of the alleged misconduct, and to jointly develop an acceptable resolution.

If the Complainant and the Respondent reach a resolution through restorative justice or mediated discussions, the case will be closed¹⁰. Resolutions may include remedies identified in the Code, or other resolutions mutually agreed to by the Complainant and Respondent.

Discussions that take place as part of any cooperative resolution are confidential and information shared during these discussions may not be disclosed or used by either the Complainant or the Respondent against the other party, including at a hearing should the issue proceed to that stage.

⁹Alleged breaches may be relevant to consider for the purposes of determining whether complaints are being made in good faith and to ensure that the requests to review alleged breaches of the Code are not misused, abused, or disrespected. In all cases of determining appropriate remedies, the Integrity Office and Commissioner will only consider a history of established breaches of the Code.

¹⁰For greater certainty, the Office or Commissioner is not required to prepare a report where the issue is resolved through cooperative discussions.

Investigation or Hearing

For cases where cooperative resolution is not appropriate, or the Complainant and Respondent cannot come to a resolution after cooperative dispute resolution processes have been attempted, the MNO Integrity Office may initiate an investigation to gather information from the Complainant and Respondent, and other witnesses as appropriate. The Commissioner can then choose to proceed to a hearing or may issue a report based on the investigation outlining their conclusion on whether a breach of this Code occurred and any applicable remedies.

If the Commissioner determines that a hearing is required, they will have the authority to determine their own processes and procedures for the hearing, including whether to ask for oral or written testimony by the Complainant, Respondent, and witnesses (if any). At the conclusion of the hearing process, the Commissioner will issue a report outlining their conclusion and any applicable remedies.

A copy of the report will be provided to the Complainant and Respondent. The report will be confidential and is not to be disclosed unless the Commissioner determines otherwise.

REMEDIES

The Commissioner may decide to impose any of the following remedies where they find a breach of the Code has taken place:

- Verbal warning
- Written warning
- Requiring an apology
- Community Service
- Public statement (where appropriate)
- Completing treatment or counselling programs
- Exclusion from certain MNO activities
- Temporary suspension of MNO Citizens privileges (including bar on eligibility to run for elected office for a term)
- Temporary suspension or removal from office (in the case of MNO elected leaders and officials) and bar for running for elected office for a term (consistent with the MNO Bylaws)

The remedies listed above are non-exhaustive. The Commissioner (or Appeal Panel, as discussed below) may impose additional or other remedies, as appropriate, including those available under the MNO Bylaws and other governance documents and policies of the MNO. In all cases the implementation of any remedy proposed must be consistent with and comply with the MNO Bylaws and other governance documents and policies approved and in effect, as amended from time to time.

In all cases, the remedy must be proportionate to the seriousness of the breach of the Code. In determining the appropriate remedy, the Commissioner will consider (among other factors) the seriousness of the breach, any history of past breaches by the Respondent¹¹, and if the Respondent is an MNO elected leader or official (e.g., if they would by virtue of serving in an elected role be in a position of greater trust or held to a higher standard of conduct).

The MNO Integrity Office and Commissioner may also refer serious misconduct to the police, if appropriate (e.g., threats of violence or an incident that poses an immediate danger to the health and safety of an MNO Citizen).

If the remedies or resolutions imposed are not followed, the Commissioner may treat this as another breach of the Code and initiate another investigation.

APPEALS

In certain cases, a Respondent may appeal a decision of the Commissioner to an Appeal Panel made up of three (3) MNO Citizens who have received MNO approved training in conflict resolution and/or who have relevant experience in the subject matter of this Code.

Requests for an appeal must be filed within 10 days of the Commissioner's decision (based on the date of the report was provided to the Respondent) and must identify one of the following allowable grounds for an appeal:

- i. the Commissioner made a significant mistake or error in carrying out the processes under the Code or in the investigation that negatively impacted the Respondent;
- ii. the remedies were too severe and not proportionate to the breach; or
- iii. the Respondent has new evidence to present that was not available at the time of the Commissioner's investigation.

In an appeal, all information considered by the Commissioner will be provided, on a confidential basis, to the Appeal Panel who will agree to hold such information confidential. A decision of the Appeal Panel is final.

OTHER MATTERS

In addition to its responsibility for implementing the conflict resolution processes under the Code, the MNO Integrity Office or Commissioner may also provide conflict resolution training to MNO Citizens or MNO staff with the overall goal of restoring and fostering peace and harmony, in accordance with the *Statement of Prime Purpose*. MNO Citizens or staff who have received such training would be eligible to serve on an Appeal Panel (if required).

PCMNO may adopt further policies or procedures to guide the operation of the MNO Integrity Office from time to time.

¹¹For the purposes of determining appropriate remedies that are proportionate to the seriousness of the breach, the Office or Commissioner will only consider established past breaches of the Code. A history of past allegations of breaches that were found to not fall within the scope of the Code will not be considered for the purposes of determining an appropriate remedy.

8. AUTHORITY FOR THE POLICY

PCMNO is the democratically-elected and province-wide governing body of the MNO. The MNO Bylaws authorize the PCMNO with the authority to manage “the property and business of the MNO” and to “exercise all such other powers and do all such other acts and things as the MNO is, by its charter or otherwise by law, authorized to exercise and do¹².” This includes adopting policies for the good governance of the MNO, such as this Code.

9. INTERPRETATION

The terms of this Code shall be given such fair, large, and liberal construction and interpretation as best ensures the attainment of its Purpose. Nothing in this Code shall be interpreted in a way that would result in a conflict with the MNO Bylaws and should a conflict arise between this Code and the MNO Bylaws, the MNO Bylaws prevail to the extent of any conflict.

The Code is intended to supplement and work together with MNO’s other laws, policies, and processes to enable effective and democratic governance, as part of the MNO’s overall self-government evolution and activities. The Code in no way replaces or restricts any other governance tools that have been approved of by the MNO or the AGA, including other MNO policies, codes or procedures that are issue specific (e.g., ELCC Code of Conduct), or rules such as the MNO Métis Rules of Order.

The Code and dispute resolution processes outlined under it are a part of the MNO’s internal governance. It is grounded in Métis values, traditions, and Métis legal processes and a part of the MNO’s ongoing self-government. For greater certainty, the Code and dispute resolution processes under it are not meant to replace or interfere with any other external dispute resolution process that may be initiated by or involving an MNO Citizen, including but not limited to any criminal or human rights complaints in Canadian law. PCMNO will develop further operational guidance for the Integrity Office and Commissioner regarding the need to respect any external processes that may be ongoing or initiated by or involving an MNO Citizen and not interfere, obstruct, or impact those external processes.

10. ADOPTION, IMPLEMENTATION, AND REVIEW

This Code was approved, in-principle by resolution of the PCMNO on July 10, 2024, based on the MNO’s inherent right of self-government as well as the authorities set out in the MNO Bylaws.

Following the PCMNO’s approval, the Code was approved by resolution of the MNO AGA on August 17, 2024.

The PCMNO may review and amend this Code periodically, for the purposes of ensuring that it is best able to meet the needs of the MNO Citizens, the goals and objectives of the *Statement of Prime Purpose*, and advance its Purpose.

For greater certainty, this Code will be reviewed at such time as the MNO has reached a Constitution that has been ratified by the MNO Citizens and Métis Communities represented by the MNO, to ensure that the Code aligns with the values, principles, and objectives of the Constitution.

¹²MNO Secretariat Bylaws, 2023, Article 14 and Article 33.

APPENDIX A

MNO Code of Conduct - Request for a Review

In filling out this form, you (the **"Complainant"**) are authorizing the Métis Nation of Ontario (the **"MNO"**) Office of Ethics and Integrity (or in the interim, the MNO Community Relations Branch until such time as the MNO Office of Ethics and Integrity is established) to begin a review of and potential investigation into an alleged breach of the MNO Code of Conduct: A Guide For Living Together in Good Relations (the **"Code"**). You recognize the importance of the Métis values and traditions in the Code, including those of honesty, truth, respect, and integrity, and swear that the information contained in this form is true to the best of your knowledge, information, and belief.

The information provided by you will help facilitate the review. Please be as detailed as possible, including providing names, dates, and any other information relevant to the incident in question.

The information provided will be kept confidential by the MNO and used only for the purposes of its review and investigation. MNO may contact you if we have further questions or need additional information.

Complainant and Respondent Information	
Complainant Name:	
Complainant MNO Citizenship No.:	
Complainant Contact Info (phone or email):	
Respondent Name:	
Information about the Alleged Breach of the Code	
Date the incident took place:	
Section of the Code Allegedly Breached:	
Describe what happened, in your own words:	
(Use additional space or attach additional pages if required)	
Names of anyone else present:	
Any other relevant information:	

Please send a copy of this form to **COC@metisnation.org**. A representative will follow up with you if MNO requires additional information or about next steps.

Métis Nation
of Ontario 