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**Standing Committee
on Heritage, Infrastructure
and Cultural Policy**

Municipal Accountability
Act, 2025

1st Session
44th Parliament
Thursday 3 July 2025

**Comité permanent du
patrimoine, de l'infrastructure
et de la culture**

Loi de 2025 sur la responsabilité
au niveau municipal

1^{re} session
44^e législature
Jeudi 3 juillet 2025

Chair: Hon. Laurie Scott
Clerk: Tanzima Khan

Présidente : L'hon. Laurie Scott
Greffière : Tanzima Khan

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON HERITAGE,
INFRASTRUCTURE
AND CULTURAL POLICYCOMITÉ PERMANENT DU PATRIMOINE,
DE L'INFRASTRUCTURE
ET DE LA CULTURE

Thursday 3 July 2025

Jeudi 3 juillet 2025

The committee met at 1002 in Four Points by Sheraton, London.

Are there any questions before we begin?

MUNICIPAL ACCOUNTABILITY
ACT, 2025LOI DE 2025 SUR LA RESPONSABILITÉ
AU NIVEAU MUNICIPAL

Consideration of the following bill:

Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct / Projet de loi 9, Loi modifiant la Loi de 2006 sur la cité de Toronto et la Loi de 2001 sur les municipalités en ce qui concerne les codes de déontologie.

The Chair (Hon. Laurie Scott): Good morning, everyone. I call this meeting of the Standing Committee on Heritage, Infrastructure and Cultural Policy to order. We are here in London, Ontario, to begin public hearings on Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct. The Clerk of the Committee has distributed today's meeting documents with you virtually, via SharePoint.

To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly. Please wait until I recognize you before starting to speak. And as always, all comments should go through the Chair.

Before we begin the hearings, I want to remind the members of the committee of decisions made by the subcommittee at its meeting on June 17, 2025, with regard to the written submissions deadline and the clause-by-clause consideration of the bill. The subcommittee made the following decisions:

The deadline for written submissions to the bill has been changed to 2 p.m. on Monday, August 18, 2025. The original deadline was August 11.

The deadline for filing amendments to the bill has been changed to 2 p.m. on Tuesday, August 19, 2025.

The date for clause-by-clause consideration of the bill has been changed to Tuesday, August 26, 2025.

Please note that the times for this meeting are the same. The committee will meet from 10 a.m. to 12 p.m., 1 p.m. to 6 p.m., and 7 p.m. to midnight, if needed.

The information was also sent to you from the Clerk of the Committee on June 17.

MINISTRY OF MUNICIPAL AFFAIRS
AND HOUSING

The Chair (Hon. Laurie Scott): Seeing none, I will now call on Minister Rob Flack, as the sponsor of the bill.

Minister Flack, you have 20 minutes to make an opening statement, followed by 39 minutes of questions from the members of the committee. The questions will be divided into two rounds of six and a half minutes for the government members, two rounds of six and a half minutes for the official opposition members, and two rounds of six and a half minutes for the third party. I will provide reminders of the time remaining during the presentations and questions.

We will begin with the minister, please.

Hon. Rob Flack: Thank you, Chair. It's great to be here—really, home—in London, Ontario.

MPP Sattler and I welcome everyone to the Forest City. It's great to have Peggy, my partner in crime, here. Our ridings actually abut, so we always like working well together.

Tyler, welcome, here, from the nation's capital—and all my colleagues on the government side of the House.

Again, I'm honoured to be here, happy to be here, and happy to speak about an important piece of legislation—obviously, Bill 9, the Municipal Accountability Act—that we've all dealt with in the House. I'm glad that we've come to committee and we're on the road. This is, I think, Chair, the first on-the-road meeting. From here, I believe my colleague told me you're going to Niagara Falls, then you're going to Ottawa, then Thunder Bay, North Bay. There's one—Barrie got cancelled.

The Chair (Hon. Laurie Scott): Whitby.

Hon. Rob Flack: Whitby. Right.

We're going to get a cross-province perspective on this, and it's important that we listen and learn. This is really not a partisan issue or a piece of legislation—this is something that the province and municipalities have been looking for a long, long time. So I think we're there, but again, we want to listen and learn.

As elected officials, we all know and understand what's at stake with this legislation. We know that accountability is not optional; it's essential. Coming from the private sector, we all understand what accountability means—we

are held to a high standard provincially and federally as well as municipally, but we're making changes here that are more consistent, and I think that's key. It's the cornerstone of public trust and the foundation for safe, respectful and effective workplaces, wherever we may work. It is important we get it right. As I said earlier, it's the very reason this committee is travelling across the province. It's important that voices from all corners of Ontario be heard.

Municipal leaders have been calling for action on this for some time, as we all know. Municipal office is no different than any other. There must be consequences for misconduct. And if passed, this legislation will do just that. Again, we've done a lot of consultation. This has been going on for some time, in terms of communication. They've been asking for this for a long time.

(1) It will strengthen and standardize municipal codes of conduct. Right now, there are 444 iterations. We're going to have one standard right across the province.

(2) It will give clear, consistent authority to integrity commissioners in every community.

(3) It will ensure that the rules are enforced.

This is not about politics, as I said earlier; it's about needed and asked-for code of conduct legislation. This is the fundamental aspect of these hearings. It's about ensuring that every councillor, every mayor, every member of municipal government, no matter what they serve or who they serve or where they serve, is held to the very same high and consistent standard. A unified code of conduct has been one of the most frequent, most urgent asks from municipalities right across this province, in my short time in the Legislature. We hear it every year at AMO. I know those who have sat longer have been hearing it as well. So we're acting. Folks have told us directly that they want better tools, they want clear rules, and they want a framework that can work for every municipality consistently across the province. And we agree.

We owe it to the people we all serve to get this legislation right. We've worked closely with our municipal partners in drafting this bill, and we will continue to collaborate with them as it moves through the Legislature. Why? Because stronger standards mean stronger communities, and because the people of Ontario deserve nothing less.

We know that municipal governments and members of council work hard every day to serve their communities with integrity—and that's the vast, vast, vast majority of everyone we work with in municipalities. But we've also heard clearly and consistently from across the province that the current framework we have in place isn't enough, and we agree.

Through consultations led by the Ministry of Municipal Affairs and Housing in 2021 and in response to recommendations from Ontario's Integrity Commissioner, the message was unmistakable:

(1) Municipalities need a stronger code of conduct.

(2) Every elected official deserves a safe and respectful workplace.

(3) The people of Ontario deserve to be governed with professionalism, integrity and, again, accountability.

That's exactly what the Municipal Accountability Act is designed to deliver for the people. If passed, this legislation will strengthen local democracy by introducing a single standardized code of conduct right across all municipalities; a consistent process for the integrity commissioner investigations; and a more serious penalty structure reserved for the most egregious violations, to act as a real deterrent. These changes would ensure that every municipality in Ontario operates under the same clear rules and expectations, so that every resident in every community can trust their local government is working to the same high ethical standard.

1010

The legislation would also enable a clear, consistent process, including defined criteria for recommending the removal and disqualification of a member of council; ensure such penalties are only applied in cases of serious misconduct; and mandate training on the code of conduct for all elected officials, helping prevent violations before they occur. I think this is an important part. When we get elected to the Legislature, we're given a training session. I think municipalities need to have mandated training on codes of conduct as they get elected or at the beginning of every term. I think it's essential.

Most importantly, these reforms would allow councils to do their work without unnecessary disruption, by reducing confusion and inconsistency between jurisdictions. Across all of our 444 municipalities, a standardized code of conduct will mean clearer obligations, stronger ethical alignment and better governance, which is exactly what Ontarians expect and what they deserve.

We all know Ontario's current municipality accountability framework is governed by the Municipal Act of 2001 and the City of Toronto Act of 2006. They also require municipalities to appoint an integrity commissioner, as I think you know, responsible for providing advice and enforcing each municipality's code. Although well-intentioned, this decentralized approach has created a patchwork system right across Ontario municipalities, with widely varying codes of conduct and inconsistent investigation processes. We've seen it, we've heard the stories, and that's again why we're acting with this legislation.

This current system, simply put, does not work as intended and has produced challenges right across Ontario. This lack of standardization leads to confusion, limits access to best practices, and undermines public confidence in the fairness and effectiveness of accountability mechanisms. By introducing a standardized code of conduct and a consistent investigation framework, the Municipality Act would help fix this. It would bring better clarity, improve efficiency, and ensure that every municipality is held to the same high standards, no matter where you are in Ontario.

Our ministry undertook a thorough review of municipal codes of conduct and integrity commissioner frameworks across Canada. The goal was really twofold, folks: to

identify proven models that could benefit Ontario's system, and to avoid the shortcomings and inconsistencies seen elsewhere in Canada. What we found confirmed the need for a more cohesive approach.

For example, in BC and the Canadian territories, municipal codes of conduct are not required at all. This creates significant gaps in local accountability.

In the provinces where codes of conduct are required, the degree of standardization vary widely. Newfoundland and Labrador, Alberta and New Brunswick mandate that certain key topics be addressed within codes of conduct. Manitoba takes a values-based approach, requiring that codes establish guiding principles to reflect council standards and expectations—again, a decentralized approach. And a few provinces, like Nova Scotia and Saskatchewan for instance, have adopted a fully standardized model requiring municipalities to implement a provincially mandated code of conduct.

Last week, I was in New Brunswick, meeting with local government ministers from across Canada. We had a good meeting, and in one of our session's sidebars we brought this up exactly, and we talked about what different provinces were doing. I explained what we're doing here.

I think we're on the right path. Again, we've done a lot of consultations with our provincial counterparts within our municipalities to make sure we got this legislation right. This cross-jurisdictional research gave us valuable insight. It shows what works, what doesn't, and what Ontario could do to lead. It guided us toward a model that balances consistency with local relevance—a framework built for Ontario's diverse municipal landscape and grounded in proven accountability practices. I'll keep coming back to the word "accountability."

Our government also consulted extensively with our municipal partners, and again, this is key.

The Municipal Accountability Act is the direct result of broad, extensive consultation, and reflects the recommendations of the Integrity Commissioner of Ontario as well. We knew from the outset that we had to get this right, because the standardized code and consistent integrity commissioner framework aren't just policy choices; they're foundational elements of a safe, respectful and accountable municipal system.

Ontario, as we know, has 444 municipalities, each with its own unique identity, and with each of those identities, as everyone knows, some of our municipal friends like to operate on their own island, so to speak. I respect that approach. Despite the differences with the municipal accountability codes, they are united by a common goal, and that is to bring consistency right across the province. We fundamentally agree on the need for action, and this is a good thing. They've asked for support, for clarity and for a stronger framework that upholds the standards of their communities that they expect and have helped shape.

I want to sincerely thank our municipal partners for their continued collaboration and leadership, especially—and again, when you hear these organizations, you have to be impressed that we've been able to come together—AMO, the Association of Municipalities of Ontario; the

Association of Municipal Managers, Clerks and Treasurers of Ontario; the eastern and western wardens' caucuses; the Northwestern Ontario Municipal Association; the Federation of Northern Ontario Municipalities; the Rural Ontario Municipal Association, ROMA; Ontario's Big City Mayors; and Ontario Small Urban Municipalities. All are in support of this legislation.

Our engagement with these partners has been meaningful and going well, and the support of this legislation has been absolutely overwhelming. This kind of leadership from our municipal colleagues has been instrumental.

When I got into this job just a few months ago, I remember speaking to my predecessor, Mr. Calandra. He said, if you do one thing right away, introduce a municipal code of conduct, because that's what AMO is expecting at the conference this summer. I took good advice from a strong and great leader and colleague.

We're deeply grateful for their partnership and remain committed to working together to ensure this legislation delivers real, lasting change for the people of Ontario.

However, it remains important to hear as many voices as possible. That's why we're here today to listen and to learn.

How much time do I have left, Chair?

The Chair (Hon. Laurie Scott): You have seven minutes and 50 seconds.

Hon. Rob Flack: Perfect.

I'd like to highlight one voice we knew we needed to hear through this process. While all the municipalities came together, we thought it was important that the Ontario Integrity Commissioner weigh in on this legislation. As we worked within the Ministry of Municipal Affairs and Housing, we remained focused on one core objective, and that is getting this legislation right. That's why, last year, Premier Ford wrote to the Integrity Commissioner of Ontario, formally requesting expert advice on how to develop a consistent, province-wide code of conduct framework for all locally elected officials. Specifically, the Integrity Commissioner was asked to (a) recommend ways to improve standardization of the municipal integrity commissioner framework, including whether there could be a role for the Integrity Commissioner's office itself, and (b) provide guidance on how to improve consistency in codes of conduct for members of municipal councils and certain local boards.

We were very pleased with the advice that followed. The Integrity Commissioner's recommendations were thoughtful, balanced and actionable. They included four primary points: (1) creating a standardized municipal code of conduct, while allowing municipalities flexibility to adopt additional rules, provided those rules are reviewed and approved by an oversight body; (2) establishing a consistent investigation process for all municipal integrity commissioners; (3) requiring mandatory code of conduct training for all members of council—again, we talked about that earlier. And finally, (4) the Integrity Commissioner also identified a role for his office—now her office—to provide advice to municipalities and offer

training to municipal integrity commissioners, helping to ensure a uniform approach across the province.

What I've learned as we've looked at this is that that last point is key. The integrity commissioners across the province are not always consistent, and that's understandable—different people, different perspectives. But we need to keep this consistent. This is where I think Ontario's Integrity Commissioner can play a very big role. When I sat down with her—six weeks ago, four weeks ago, whatever it was—we talked about this very issue. We'll maybe need to help her staff up somewhat to make sure that we get this right.

After reviewing this expert guidance, our government took action and moved forward with the introduction of the Municipal Accountability Act. There are always some concerns, issues and opportunities. While we agree there needs to be action, there are concerns. Not everyone agrees on the appropriate responses, and that's good. We don't have to always perfectly agree. Come to the Legislature some days and we'll see that we don't always agree. But something of this importance should be debated, and that's why we've taken it on the road. It should be discussed. It should be challenged. Ontario is a proud place of diversity, and that diversity comes with diversity of thought.

This committee will hear these concerns, and I'd like to address some of them here now.

The first thing I'd like to address is the concern that the process can be used as a weapon against political opponents. Fundamentally, protecting our democratic process starts with respecting it. Members of municipal councils are elected officials chosen by the people, chosen by their communities. They are often the first point of contact for residents and deeply connected to the people they serve. This is why there must be a clear and strict criterion for removal from office.

1020

The Municipal Accountability Act sets out four strict criteria that must be met for an integrity commissioner to recommend removal:

- (1) The member has contravened the code of conduct, as we've set out.
- (2) The contravention is of a serious nature.
- (3) The member's conduct resulted in harm to the health, safety or well-being of individuals.
- (4) Existing penalties are insufficient to address the conduct or prevent it from ever recurring.

The proposed changes would introduce a high bar for removal and disqualification, with multiple layers of oversight. The oversight will be at both the local and provincial levels, to ensure fairness and impartiality is in the process.

I will go over the process. As I think we all know, it's important to walk through the steps.

A municipal integrity commissioner conducts an investigation and, if appropriate, recommends removal and disqualification. That's step one. That's your local integrity commissioner.

The Integrity Commissioner of Ontario now weighs in, reviews the case and conducts a separate inquiry. This has

not been done in the past. This is an important element to this legislation.

Number three: If the Ontario Integrity Commissioner concurs with the recommendation, a report is submitted back to that particular municipality.

Finally, the municipal council then has 30 days to vote on whether to remove and disqualify the member on council.

So, (1) the integrity commissioner, locally, and (2) the provincial Integrity Commissioner—(3) submits a report back to council, to decide within 30 days as to whether or not that person should be disqualified and removed. Fundamentally, we need to respect the democratic process, and I think that is what it exactly does.

I also understand the challenges some may have with the requirement for a unanimous vote, and I want to address that directly. The process outlined balances the need for external influence while preserving democratic accountability at the local level. Furthermore, there are additional safeguards in place, such as the fact that only members of council not subject to the report, not on approved absences and not in conflict of interest would be permitted to vote.

We recognize that local governments know their communities best. This framework respects that notion. Municipal integrity commissioners will continue to lead local investigations. The Integrity Commissioner of Ontario will provide oversight, consistency and expert review; not override local authority. The final decision always rests with the municipal council themselves. I understand some people don't share this opinion, but this is where the legislation sits today.

We've come together, again, with many consultations and many discussions. It's never clearer—what do you say? It's clear as mud. Some say the threshold is too high, but I don't fully agree.

I think that the way the bill sits today, the Municipal Accountability Act will be the result of a process that should leave little doubt in anyone's mind. By the time you get to a vote, there should be little doubt that removal and disqualification, if it's being recommended, be done. When a vote comes, the ultimate arbiters of a politician's fate, ultimately, like all of us, are the voters. And so, to remove somebody without unanimous consent or a vote, I think, flies in the face of what the voters did to elect people. Those who are ultimately accountable to the people will have that choice, with a unanimous vote.

In conclusion, it's important to emphasize that the vast majority of locally elected officials serve their communities with integrity, with passion, with professionalism and dedication. I think we can all agree on that. The bad actors, so to speak, that rear these issues are—

The Chair (Hon. Laurie Scott): You have 10 seconds.

Hon. Rob Flack: No problem. I'll conclude there and say I appreciate your time.

We've got 444 municipalities. We're going to come together with a standardized code of conduct.

I welcome any questions you may have.

Thank you, Chair.

The Chair (Hon. Laurie Scott): Thank you very much, Minister. Sorry. I was listening and not looking at the clock. So I apologize for the short notice.

We're going to start this round of six and a half minutes with the government side. I will look to MPP Saunderson to begin.

Mr. Brian Saunderson: I want to thank the minister for appearing today. I guess that's a testament to the compelling nature of your presentation—when the Chair loses track of time.

Anyway, I do want to comment, as a former municipal representative of eight years in the town of Collingwood and county of Simcoe when these codes of conduct were first coming in.

My community, the town of Collingwood, went through a judicial inquiry as a result of issues that could have been addressed proactively through a much more effective code of conduct. We've certainly seen an evolution over the last 10 years in that area.

I have to say, I applaud the government for moving forward on this. You talk about transparency and accountability. Those are critical aspects of this.

Really, at the end of the day, we're all working together, at any level of government, for our residents. And as we all know, there is only one taxpayer. So this is, in my mind, about protecting the interests of our taxpayers, making sure they get the government that they deserve, and that the government understands their obligations.

I'm wondering, Minister, if you could comment on the importance of the transparency and accountability and the need for consistency across the province to ensure that that occurs.

Hon. Rob Flack: Through you, Chair: In my own riding, to give you an example—we can all tell these stories—I've seen, again, in my short time in the Legislature, local integrity commissioners have to step in with dealing with mayors or councillors or whatever it may be. And I'm sure you saw the same thing when you were in municipal government.

What I've seen, even in my own riding, is inconsistency. I've got, I believe, 12 municipalities in my riding, including part of London. How each of these municipalities deal with codes of conduct—again, some of them are weaponized. Some councils use them in a non-appropriate way, in my opinion. I won't name names, but I think we can all see some of these examples.

When I go back and I look at what I've heard since I've been here, we needed consistency that included accountability. It's hard to hold somebody responsible if you don't give them the tools to become accountable.

So what I would say is, where I think this legislation really works is the standardization across all 444 municipalities, no exceptions—zero. Ultimately, with the four main components in place, I think you're going to get consistent results. I also think you're going to quickly weed out the weaponized political action. If it's of a serious nature, then it's going to follow the process, and if it isn't, it will be deemed not appropriate. So I think the

consistency helps create standardization, and the standardization adds to the accountability.

Mr. Brian Saunderson: Just on this topic of consistency, I know that former Ontario Integrity Commissioner David Wake, a retired justice from the Federal Court, talks at length—and one of his recommendations was about training for integrity commissioners, to make sure that they're coming from the same perspective and understanding the intent of the code and how to apply it. I'm wondering if you can comment, then, on the training for the integrity commissioners and ensuring that that consistency also happens across the province.

Hon. Rob Flack: I talked about that in my opening remarks. It's crucial because—again, let's come back to standardization. When you take a look at some municipalities, larger centres have their own integrity commissioner; smaller municipalities rely on a third party. Some lawyers in this province or some people make a living acting as local integrity commissioners, to help that process. It's great that they have them, but nobody is trained in a consistent way. I think with the Ontario Integrity Commissioner in place—and Mr. Wake's recommendation has been followed—that training, again, needs to take place.

I think we all know that the Integrity Commissioner's office is not overburdened with people. Those of us who have been in there—you don't see hoards of bureaucratic folks sitting around tables and communicating. So we're going to have to make sure that the Integrity Commissioner has the right resources to make sure that that training take place, but I don't think there's a better person who could conduct that training. It's mandatory. Again, if we're going to hold people accountable and make sure this legislation works, each municipality has to take training, full stop. And there's no better person to do it than the Ontario Integrity Commissioner.

The Chair (Hon. Laurie Scott): There's a minute and a half left. MPP Babikian, go ahead.

Mr. Aris Babikian: Thank you, Minister, for your thorough and detailed presentation of the bill.

1030

As was mentioned, we have seen some bad apples taking advantage of our rules and breaking the laws because they know there is no impunity.

The Chair (Hon. Laurie Scott): One minute.

Mr. Aris Babikian: So my question is, can you tell us about the input the municipalities had in shaping this bill?

Hon. Rob Flack: Well, as I outlined, there was extensive consultation done; there has been for a few years now.

I come back to AMO, which represents all the municipalities in Ontario—including Toronto, I might point out, which has rejoined AMO, back in January. When you talk to Robin Jones, its president—we talked extensively to AMO, Ontario's Big City Mayors, and I don't think we could have done more consultation with our municipal partners than we've done.

I come back to Minister Calandra, when he said to me, "If you do one thing, make sure that when you get to AMO you have this ready, because they want it and they want it quickly." So we've done exactly that.

Again, it's across political lines. This is not a partisan issue, in my humble opinion. We've consulted. We've listened. We've learned. And we're on the road here, and I think we're on the right track.

The Chair (Hon. Laurie Scott): I'll now go to the official opposition for six and a half minutes. MPP Sattler.

Ms. Peggy Sattler: Thank you, Minister, for making the long trek from St. Thomas to London for—

Hon. Rob Flack: Short trek: 12 minutes.

Ms. Peggy Sattler: Okay.

I want to start out by saying that there are a number of provisions of this bill that are very, very critical in ensuring that municipal councils are safe and respectful places for women.

I want to recognize the advocacy group the Women of Ontario Say No, who have been strongly pushing for changes to municipal accountability.

This bill goes some way in terms of the training that will be provided to pre-empt the kinds of egregious behaviours that have made municipal councils very chilling places for women who want to serve in elected roles. So I appreciate those provisions of the bill.

You talked, however, in your opening remarks about the need to ensure consequences for serious misconduct. One of the concerns—you've addressed this—is whether the bar is set too high in this bill to ensure meaningful consequences for really egregious behaviour. The bill requires an investigation by a municipal integrity commissioner, who then refers—if there is a view that removal is justified, it's referred to the Ontario Integrity Commissioner, a report will come back to council, and then there has to be the unanimous vote of council. A lot of people have pointed out that this risks politicizing the process. It was one of the reasons why AMO had been advocating for a judicial process, to remove it from the political arena. One of the implications of that process is that if there is a single voice on council who says, "This is very egregious, but it doesn't justify removal," there are no penalties at all; there are zero consequences for that behaviour. That is very concerning.

I wondered if you, Minister, could address why you have made it an all-or-nothing—it's that the behaviour can either result in removal or there are no consequences whatsoever after the vote goes back to council and if council votes no.

Hon. Rob Flack: That's the question of the day, frankly.

There have been many questions about this legislation in the debate. We all agree that we need to have a municipal code of conduct. We all agree with the steps. But it's the unanimous consent at the end that has people debating this issue. I can argue both sides. I could also argue that not having unanimous consent can be weaponizing as well. People can continue with egregious behaviour, they can have supporters on council, and there are little pacts and whatnot that go through. So you risk that.

Ultimately, I guess, we all get elected by the people we serve. And what we feel is ultimately important is, if there's a unanimous consent, that's speaking on behalf of

all the people in that municipality. But ultimately, the ultimate decider will be the people. And if councillors vote for somebody, to support them, who shouldn't have been in or should be out or don't follow the rules for whatever reason, then they also are accountable. Think about if you are a councillor who supports somebody who has gone through the process and the Ontario Integrity Commissioner deems this person unfit to stay in office—and they support that person in a vote. Is there not some accountability with them as well in the next election?

It's a good debate. But I really believe at the end of the day, it's a good process all the way through.

Again, we're here to listen—that's why we're here—and debate this issue. That's where it sits today. I'm glad to hear your comments on it.

Ms. Peggy Sattler: I thank you for that response.

I'm very concerned that behaviour that is sent to a municipal integrity commissioner who says, "That behaviour justifies removal," and that goes to the Ontario Integrity Commissioner, and the Ontario Integrity Commissioner says, "That behaviour justifies removal," and it goes back to council—if there's a single voice on council who says no, there are no consequences. There's not even the 90-day suspension of salary. There's nothing. There are no penalties for that behaviour. I think that this is a deep hole in this legislation—that there is nothing that can be imposed, following that process, for very serious behaviour that two integrity commissioners have said warrants removal.

The Chair (Hon. Laurie Scott): One minute remaining.

Hon. Rob Flack: Again, I respect your thoughts; I really do.

Removing someone from elected office is a pretty serious consequence. How often has it been done in Ontario? I don't have the answer to that.

Again, we are all accountable, and those on council are accountable for each other, really, ultimately, as well in how they act. If somebody votes against removing somebody who has done an egregious action, ultimately, they're accountable as well. So it behooves all of us, all councils, to act in a united, strong way.

I can understand your point. Where we sit today—if it is a serious nature, then there need to be serious consequences, and removal of office is as serious as it gets.

The Chair (Hon. Laurie Scott): We'll now go to MPP Watt.

MPP Tyler Watt: Thank you for that presentation, Minister.

I'm happy to be here and participate in this. I agree it is very important. It is a non-partisan thing. I think everyone supports the notion of this, and people do expect for us to address it and get it right, so I appreciate having that opportunity.

I agree with your concerns, so I won't go on that too much—but I do worry about the politicization when it gets to that third spot, with the council vote. I am wondering, what are things that we can do to help possibly prevent us from ever getting to this point?

Should municipal candidates be required to submit a criminal background check as a part of their nomination process?

1040

Hon. Rob Flack: I've got to be honest with you: I don't know if they have to today or not—obviously not, if you're asking the question.

Is the assistant deputy minister on?

Caspar, can I turn that over to you? With respect to criminal checks for people running municipally—do we need to do that in this province? If so, why? And if not, why?

Mr. Caspar Hall: Thank you.

My name is Caspar Hall. I'm the assistant deputy minister of the local government division.

They do not need to submit a background check, is what my understanding is.

Hon. Rob Flack: Your question, then, is, why not have it?

MPP Tyler Watt: Yes.

Hon. Rob Flack: I would turn it back to the committee and make some recommendations come through, if you think that's fitting.

I apologize; I didn't know that was the case.

MPP Tyler Watt: With the process of removal, I understand why it does need to be high—having the local integrity commissioner, then the provincial, and then back to a council vote. We've chatted already about running the risk of it being politicized one way or another—whether that's one person who wants to oust someone or people who want to make sure that that person stays there. You mentioned, when it comes to recommendations from two different integrity commissioners, that it seems pretty reasonable that everyone would understand that that's probably the right thing to do—to vote in favour.

We've seen examples just in our own legislation—the Minister of Health said she disagrees with the opinion of the Information and Privacy Commissioner on a bill that we've been debating.

I just worry about that high threshold of, "Everyone must be there, and it must be unanimous." Again, I understand why it needs to be high. But that almost seems like a ceiling that may never be hit, and then the onus is put on the voters—so I'm just wondering why the unanimous council vote instead of a judicial process.

Hon. Rob Flack: Again, I could make the argument—and people have made the argument—by having it not unanimous, it can be politicized as well. I think we can see examples where that could take place and has taken place locally, in municipalities.

Again, I think I would emphasize, when you take a look at unanimous consent—this is a very serious decision being made. And you said it: All people don't always agree with public commissions—so, ultimately, it's the people.

I would say this: We are fortunate to live in this country and this province, where democratic institutions are respected.

Ultimately, who is the most accountable? Governments, yes—but it's the people. The people are accountable for electing the people they think represent them most and best. When they don't get it right, there are terms of office that—they get, then, to re-decide.

Again, that is a big reason why we've stuck with the unanimous consent.

The Chair (Hon. Laurie Scott): You have two minutes left.

MPP Tyler Watt: Okay.

I will go back to my first question. If we were to possibly submit amendments or re-look at getting something like background checks that go into it—do you think there are any criminal offences that, if recently committed, should bar someone from being allowed to run for office?

Hon. Rob Flack: Again, this committee—this is why you're on the road. This is why we're listening to local deputations and what people think. Obviously, our ministry will take back any recommendations this committee brings. That's the job—of how this government works, how any government works.

Should people be allowed to run if they've had a criminal background? If they've done that time, if they've made recompense, why not? I think that's part of the freedoms we have in this country.

Back to your original point, the criminal checks: Again, if you have recommendations that you think can help improve this legislation, we're obviously happy to consider them and take them into that consideration when we bring it back to the Legislature in the fall.

The Chair (Hon. Laurie Scott): You have 30 seconds, if anybody wants to use it.

MPP Tyler Watt: No, I'll finish there.

The Chair (Hon. Laurie Scott): We'll now go to the second round. Government side: MPP Bailey, please.

Mr. Robert Bailey: Welcome to southwestern Ontario, and London in particular.

Minister, thank you for your presentation this morning.

I won't belabour the point, because I've had it brought up to me a number of times—about the issue of the unanimity. I think we chased that around quite a few times, so I'm not going to go there again.

I think of the old adage, "People get the government that they deserve." People need to be really cautious. Maybe this is one thing that will come out of this. The electorate really needs to look at who they do elect when the elections do come around.

If this legislation is passed in whatever form at the end of the day—could you go into some detail about the timing, and what implementation will we be looking at, as far as the implementation of whatever bill finally comes through the Legislature?

Hon. Rob Flack: Well, first of all, we've got to do our due diligence and go through committee, as we will this summer. We'll obviously be speaking about it at AMO, in Ottawa, in August.

When we come back in the fall, hopefully we'll get it right and pass the legislation. And then the heavy lifting begins.

As I think everybody knows—and again, I’m not a municipal creature; don’t come from it—if you want to apply to run for council, whatever position, you have until May 1 to decide and then announce your intentions.

1050

So what we’re hoping for is that this legislation, the implementation of it—and ultimately, the training that would take place after an election—is in place prior to May 1 of next year. I think that’s an important deadline because it gives everybody considering taking a run at municipal council or trying to get re-elected—understands what the municipal code of conduct is before they submit their intention to run.

I’ve talked to the Integrity Commissioner about this, and again, I come back to the point that we have to make sure we give the available resources to that office, to make sure they can get this in place by May 1 of next year.

Mr. Robert Bailey: So another question—I guess it’s more of a statement, but you can reply. Your hope—and, I suppose, all of us in government, at the end of the day—is that these steps, this bill, would help to prevent misconduct in the first place so that we wouldn’t probably have to look at the very isolated cases, maybe, that we would have to look at suspension or removal—

Hon. Rob Flack: Yes. Again, I come back to the training. I think the training is key, not only for council, but for the local integrity commissioners. Again, there are inconsistencies throughout the province.

What was the final part of your question, Bob? Sorry.

Mr. Robert Bailey: It would lead to less misconduct in the first place, and then the very few times we would have to implement this would be, hopefully, severely limited. That would be our hope.

Hon. Rob Flack: Yes, well, hopefully, if people have taken the training and understand the consequences thereof—that being said, I think we have to remember that the vast, vast, vast majority of councillors who serve in municipalities across this province do a stellar job. They act with integrity. They act with professionalism and dedication. The small few who don’t—the bad apples, so to speak. We now have an ability to deal with it directly.

I think training is important—always is, always has been, always will be.

Ultimately, getting this in place before the next municipal election, I think, is key, so people know what they’re getting into and the accountability that comes with any office you serve in this province.

The Chair (Hon. Laurie Scott): You’ve got two and a half minutes.

Mr. Robert Bailey: I’ll yield to Mr. Sandhu.

The Chair (Hon. Laurie Scott): MPP Sandhu.

Mr. Amarjot Sandhu: Thank you, Minister. We appreciate your presentation.

Thank you to all the members for being here.

As you mentioned in your speech, that accountability is not optional; it is essential. This legislation will just do that—what municipal leaders across Ontario have been asking for. This is not about politics. It is about protecting the people, and it is about ensuring that, as you said, every

councillor, every mayor, every member of municipal government, no matter where they serve, is held to the same high standard.

Maybe you could shed more light on how this bill will help municipalities strengthen transparency and accountability at the local level.

Hon. Rob Flack: Let me come back to why we’re doing this: because of municipalities, 444 of which have asked for this. So this is not a government approach—that we need to do this. We agree that people have come to us for a number of years now to say, “Bring this legislation into place,” and we’ve acted. We’ve talked to virtually anybody and everybody we could to try to get it right. Again, we’re being accountable by taking this show on the road and listening to local deputations to make sure that we do get it right, that we are getting it right.

The big bone of contention thus far, I think, is obviously the whole notion of unanimity and everyone has to be—

The Chair (Hon. Laurie Scott): One minute.

Hon. Rob Flack: —that whole vote. That seems to be the one big issue, but I think we’ve got it pretty well right.

When you take a look at accountability—and I want to come back to this—it’s a big burden placed on—we all know. We’re elected. We’re accountable to the people who elect us, and part of that accountability is how we conduct ourselves when we’re in the chamber, when we’re in a municipal council meeting, wherever it may be. In public, we are accountable. How we vote, what we vote for, who we support, how we do it—we get judged every four years, or whenever the next election is.

Ultimately, this act puts accountability in place to make sure that we do act justly, properly, and then if we don’t, the consequences can be very, very serious.

And ultimately, the people of Ontario will decide their fate.

The Chair (Hon. Laurie Scott): We’ll now move to the official opposition. MPP Sattler.

Ms. Peggy Sattler: Minister, you talked about your predecessor, Minister Calandra, and his urging you to bring forward this bill in your new role. The bill, Bill 9, is essentially identical to the legislation that Minister Calandra previously introduced back in 2024.

We know that there was an earlier iteration of a municipal accountability bill that was kind of developed by a third Minister of Municipal Affairs, Minister Clark. That bill was drafted and circulated for consultation. The NDP had a briefing on that bill back in 2021. That bill, as I understand, was the outcome of a very extensive consultation process that had been undertaken by the government in 2021.

What’s interesting to me is the number of differences between that draft bill from 2021, as a result of the extensive consultation that had taken place, and Bill 9, the bill that we have before us today. I just want to highlight some of the changes. The reason I am doing this is because I’m curious to know what the internal process was that led to these very different iterations of this municipal accountability bill.

The 2021 draft bill would have allowed municipal integrity commissioners to apply to a judge to have a councillor removed if there was serious misconduct. The 2021 bill required a judge's decision to remove a member of council. The 2021 bill included provisions to allow councils to delegate the power to impose penalties to the municipal integrity commissioner. The 2021 bill allowed councils to recover the costs of inquiry from a member of council if misconduct is established. The 2021 bill allowed councils to impose existing available penalties in addition to whatever the judge decided to do with regard to removal. These are all provisions that were included in the 2021 draft and that are missing from the current bill.

So could you just give us a sense of what happened? We know that AMO, for example, was strongly supportive of the application to a judge for removal, and those other provisions were also strongly supported by key stakeholders in the municipal sector.

Hon. Rob Flack: Number one, I would say I wasn't part of those changes or discussions. But I will say and I do know that continued consultation took place after the 2021 iteration or version of the bill.

Again, I want to emphasize that we didn't just unilaterally change these things. We did consult consistently with AMO; the Association of Municipal Managers, Clerks and Treasurers of Ontario; the eastern and western wardens' caucuses; the Northwestern Ontario Municipal Association, NOMA; the Federation of Northern Ontario Municipalities, FONOM; the Rural Ontario Municipal Association, ROMA; Ontario's Big City Mayors; and Ontario Small Urban Municipalities. This was done in consultation with them.

Maybe I'll turn it over to the assistant deputy minister. Caspar, can I turn it over to you to make a comment?

Ms. Peggy Sattler: Could I just move on to another question?

Hon. Rob Flack: It's your call. It's your question.

Ms. Peggy Sattler: I actually want to go back to the Ontario Integrity Commissioner, who you also consulted with, and the September 2024 report.

You talked about some of the recommendations of the Integrity Commissioner that are reflected in Bill 9. But there were other recommendations of the Ontario Integrity Commissioner that are not included in Bill 9, and I wondered if you could speak about those recommendations.

We know that there is a lot of variability in the expertise of municipal integrity commissioners. The Ontario Integrity Commissioner, David Wake, recommended that there should be a registry of all municipal integrity commissioners, to provide a resource for the public and for municipal councils.

Commissioner Wake also recommended that there should be a central database of all completed inquiries, which, again, would provide a useful resource for the public, and to share best practices.

Third, he recommended that there be some mechanism to support smaller municipalities with the considerable costs that would be involved in going through two sets of

investigations, first at the municipal level, and then at the provincial level.

1100

Can you let us know why those recommendations are not reflected in Bill 9?

The Chair (Hon. Laurie Scott): You have 40 seconds.

Hon. Rob Flack: I think the primary recommendation that Integrity Commissioner Wake gave us was the oversight that they would provide into the whole code of conduct implementation—and, secondly, training. Training people who are conducting the local integrity commissioner role, I think, is something that we've not done well in this province—too many inconsistencies in that training, which will be done now by the new Integrity Commissioner, and her office is crucial to the success.

Again, I want to emphasize that all—

The Chair (Hon. Laurie Scott): Thank you, Minister. I'm sorry. We're out of time.

MPP Watt, please, for the third party.

MPP Tyler Watt: I have three quick questions.

I'm referring to 160.0.1; specifically, (3) and (4). Can the minister quickly clarify that if a complaint is raised during an election period—since there are specific rules for election times, how can we ensure that bad actors don't get off scot-free on a technicality?

Hon. Rob Flack: I'm going to pass that one over to the assistant deputy minister, Caspar Hall, please.

Mr. Caspar Hall: With respect to your question, that issue could be raised after the election period. So within that period of time before the election period, in order not to politicize the issue—that issue can be raised down the road.

MPP Tyler Watt: Additionally, one of the provisions of the bill states that the Minister of Municipal Affairs and Housing may make regulations prescribing content requirements, standards and process requirements for recommendations.

Since we all agree that there is a need for transparency and to have all the rules be above board and across the board, can the minister speak to what sorts of regulations we can expect to see, given our shared understanding of accountability and transparency?

Hon. Rob Flack: Well, I would say there are no specific regulations as of yet.

Again, I'll turn it over to Caspar as to where and why regulations could come forward.

Mr. Caspar Hall: The first thing is these committee hearings, and then of course potential passage of the bill, pending the Legislature—then there would be enabling regulations, which would standardize the code of conduct for all 444 municipalities, as well as a process for municipal integrity commissioners. That would be consulted on through a process, and as the minister has noted, the goal would be to get that in place prior to the nomination period for the upcoming municipal elections.

MPP Tyler Watt: One of the themes of today has been the topic of the controversy around unanimous versus non-unanimous consent on the votes.

I'm wondering—since the minister did talk about consultation prior—who provided the idea of the unanimous vote to be the threshold?

Hon. Rob Flack: I can't specifically say who. I wasn't in the ministry at the time. I can find out. I think it would have been a unanimous—or not unanimous, but it would have been a—it has been discussed in the past. This is not a new notion—should it or shouldn't be, judicial or not. I'll have to get back to you. I can't specifically say who or where.

The Chair (Hon. Laurie Scott): Three and a half minutes remaining.

MPP Tyler Watt: Just on a final note on that part—should the vote decision-making power be given to fully independent third parties like the integrity commissioners, instead of colleagues who potentially have those long-standing relationships?

Hon. Rob Flack: So not use the integrity commissioners?

MPP Tyler Watt: No. Should the power to remove be given to a third party rather than to the council, who have potential biases when it comes to that removal?

Hon. Rob Flack: Again, I've heard the debate, and I've heard the dialogue on both sides. I struggle with that one a little bit.

Ultimately, again, I come back to the accountability that people have—that we have as politicians, as public servants who are with the people. I just don't think judicial or integrity commissioners should hold that power. Ultimately, it should be back to council, back to Parliament, back to the Legislature—wherever it may be—to make those decisions. And ultimately, we're all accountable on the votes that we cast.

I would again emphasize that I think this legislation goes a long way. Yes, you can argue politicization, near the end of the vote—but you can argue it on both ways: it could be politicized if it's unanimous; it could be politicized if it's not unanimous. Groups get together. That was the debate in terms of coming up with this recommendation or part of the legislation.

Again, if we're going to be accountable, we're ultimately accountable to the people, and if people don't vote in a way that the people of their municipality agree with, they're going to be judged accordingly in the next election. Ultimately, I think that's how we all have to be accountable—and it's that the people have the final say. A third-party review doesn't respect that notion.

MPP Tyler Watt: Something that you mentioned, as well, was the time frame of this and wanting to get this passed so we can have it implemented by next May, I believe.

Hon. Rob Flack: May 1, yes.

MPP Tyler Watt: May 1.

When we do return in October, will the committee be given opportunities to put forward amendments—especially as we learn from touring throughout the summer?

Hon. Rob Flack: Chair, I'll turn that over to you. That's really not for me to say. I think that's the purpose of why we're meeting today, but Chair, I'll let you—

The Chair (Hon. Laurie Scott): Sure. There's clause-by-clause in August—I think it's 28 that I read out. We will come back at the end of the hearings and do a clause-by-clause day, and that's where your amendments will come forward.

MPP Tyler Watt: Perfect. Thank you.

The Chair (Hon. Laurie Scott): There's 45 seconds left, but I think you're all good.

Hon. Rob Flack: Want to talk about the Marner trade?

The Chair (Hon. Laurie Scott): We don't have that many seconds left.

Thank you very much. That's the end of the presentation and the questions to the minister.

We thank you, Minister, for your long travel today to get here.

MUNICIPALITY OF CENTRAL ELGIN

MS. NINA DEEB

ASSOCIATION OF MUNICIPAL MANAGERS, CLERKS AND TREASURERS OF ONTARIO

The Chair (Hon. Laurie Scott): I'm going to ask the next group of presenters—Andrew Sloan; Nina Deeb; and the Association of Municipal Managers, Clerks and Treasurers of Ontario—to make their way up to the front of the room.

I do have to ask the committee—in the original motion, we just had limited it to one person per presenter in person, and the others could be virtual. We just ask for an exception. We do have enough chairs at the table that—two representatives are in person for the Association of Municipal Managers, Clerks and Treasurers of Ontario. Is everyone in agreement with that? Okay.

Just as a reminder, each presenter will have seven minutes for their presentation, and after we have heard from all the presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee. This time for questions will be divided into two rounds of six and a half minutes for the government members, two rounds of six and a half minutes for the official opposition members, and two rounds of six and a half minutes for the third party.

We welcome everybody today.

When we get to questions, the official opposition will start—MPP Sattler, just to give you a heads-up.

1110

Go ahead, Andrew.

Mr. Andrew Sloan: Good morning, Chair, esteemed members of the committee, and Minister Flack. My name is Andrew Sloan, and it is a distinct privilege to be here today representing the incredible community of Central Elgin as their mayor. We appreciate this opportunity to share our thoughts on Bill 9, a piece of legislation that, frankly, has significant implications for every municipality across the great province, including ours.

In Central Elgin, we're not just committed to growth and vibrancy; we are deeply dedicated to upholding the

highest standards of accountability and transparency in our local governance. It's what our residents expect and what they deserve.

Let me be clear right from the outset: We unequivocally support the core objective of Bill 9. Enhancing public trust and accountability within municipal governance by standardizing and reinforcing codes of conduct is a goal we can all get behind. The fact that this legislation is being reintroduced underscores a very real sentiment: the public's growing expectation for their elected municipal representatives to operate with the utmost integrity.

Central Elgin has strong measures in place to support accountability. Our current code of conduct for members of council, along with a comprehensive procedural bylaw, aims to guide ethical behaviour and ensure transparent decision-making for members of council.

We're fortunate to have an established and highly respected integrity commissioner, Suzanne Craig, who serves as a vital resource for our council and a trusted point of contact for any public concerns.

Our commitment to proactive accountability is demonstrated by our recent procurement process for the hiring of the integrity commissioner. We built in requirements for an initial meeting between council and the integrity commissioner, mandatory training and annualized reporting. I feel this proactive approach has resulted in a more productive and effective service arrangement. It allows the council to seek advice proactively rather than only engaging with the integrity commissioner when issues arise.

I'm pleased to report that just recently our council participated in a comprehensive training session with our new integrity commissioner. I believe it was a helpful and engaging session, leading to productive discussions amongst council members about our roles and responsibilities. This kind of proactive engagement is something we prioritize.

We understand Bill 9 will bring a provincially standardized code of conduct. We support the initiative, for promoting consistency and clarity.

We expect the new code will cover:

- gifts, benefits, hospitality;
- respectful conduct, including with staff;
- confidential information;
- use of municipal property.

In addition, we hope and believe the standardized code should clarify:

- meeting decorum;
- social media use;
- official communication on behalf of council.

I believe it's important that the new code clearly integrates with existing workforce harassment policies and supports any retaliation protection for complainants and mandatory co-operation with the integrity commissioner.

While we support the bill's intent, as a practical leader of a municipality, I must highlight some key areas, particularly regarding its implementation and potential impact on a municipality of our size.

Increased workload for the integrity commissioner: We believe it's vital to have clarity on how this increased workload will be managed.

Resource implications: Implementing these changes, including mandatory training, will require financial and human resources. We ask the province to provide support mechanisms like dedicated funding, standardized training materials or adaptable templates for policies.

Procedural clarity on seat vacancy recommendations: I was just listening here in the audience. While the intent to address serious contraventions is clear, we seek further clarification on the "established procedural protocols" for council votes on recommendations to vacate a seat. Ensuring a fair, transparent and legally sound process for such a significant decision is paramount.

Local context versus provincial standardization: Standardization has its benefits, but we're all very unique throughout the province.

With these considerations in mind, Central Elgin respectfully offers the following recommendations to the esteemed committee:

- (1) Develop and provide clear, comprehensive provincial templates and guidelines.
- (2) Offer readily accessible, standardized training modules.
- (3) Consider dedicated financial support.
- (4) Provide detailed procedural guidance.

Central Elgin supports Bill 9's goal of strengthening accountability and transparency in municipal governments. Effective partnership between the province and municipalities is key to this implementation. By addressing these practical considerations, we believe the Municipal Accountability Act will achieve its goals, fostering greater public trust and more effective local governance across Ontario.

Thank you for your time and listening to Central Elgin's perspective. I must say that we appreciate your outreach. We feel our value is heard on these important issues, and we are most appreciative.

The Chair (Hon. Laurie Scott): Thank you very much, Mayor Sloan.

Nina, if you're ready, state your name, and you can begin, please.

Ms. Nina Deeb: Good morning, Chair and committee members. My name is Nina Deeb. I'm a full-time real estate broker, for 30 years.

Regarding this bill: Schedule 1, the City of Toronto Act, and schedule 2, the Municipal Act, are both being amended by adding the following section:

"Integrity Commissioner of Ontario ...

"(1) The Integrity Commissioner of Ontario shall perform the following functions...."

There are five functions that are listed. It is recommended to delete the fifth function—"Any additional functions prescribed by the Minister of Municipal Affairs and Housing"—and to replace it with "5. Accept and investigate complaints regarding elected officials and former elected officials from members of the public."

It is recommended to delete the sections in both schedules as “Regulations”:

“(10) The minister may make regulations ...

“(a) the manner in which complaints shall be provided to commissioners; and

“(b) the types of complaints in respect of which commissioners may refuse to conduct or continue an inquiry.”

And insert in its place:

“(10) The minister must not interfere with any complaints to the Integrity Commissioner:

“(a) The commissioner must be independent of the minister’s influence

“(b) The commissioner will decide which complaints to refuse, to conduct or to continue an inquiry on

“(c) The commissioner may accept complaints from citizens regarding any elected or formerly elected official”

The expansion of the Integrity Commissioner of Ontario’s function should include accepting complaints from citizens. See the attached complaint from 2022 that I submitted to the Integrity Commissioner, which the Integrity Commissioner did not accept.

It is not supported to create any new regulatory authorities for integrity commissioners. Centralization to Toronto is not supported. It is not supported to centralize the powers to the Ontario Integrity Commissioner.

The power to remove elected officials is also needed at the province level. The provincial government requires strong watchdog oversights and investigation mechanisms. Relying on the RCMP to investigate the provincial government is not enough.

There are three watchdog reports regarding the Minister of Municipal Affairs and Housing: the Special Report on Changes to the Greenbelt; Office of the Integrity Commissioner—on Steve Clark; Minister’s Zoning Orders.

Quoting from second reading—“watching someone ... wield public power while we all stand by, legally powerless to remove them.”

“‘Why did he ... stay?’ ... ‘Because we didn’t have a law.’”

The minister was not removed from his position. Provincial public office is a refuge from accountability.

The Ontario auditor revealed, through their report, that the Minister of Municipal Affairs and Housing was issuing ministerial zoning orders rather than housing-enabling enhanced ministerial zoning orders. MZO cannot have conditions, but enhanced ministerial zoning orders can. When municipalities were supporting an MZO and requesting housing-enabling conditions, the Minister of Housing should have educated the municipalities regarding the available mechanism and tool to do so. The housing ministry is not using their housing-enabling tools.

This minister’s chief of staff ran the greenbelt files without any supervision or oversight. The delegation of duties does not relieve the minister of any responsibility.

We do need laws and tools to hold elected public officials accountable and for removal in very serious cases. The shortcomings are most obvious when it comes to the conduct of the Minister of Municipal Affairs and

Housing, when new housing enrolments have been slashed in half within three years.

The provincial government only sat 23 days this year. We speak about the absences of councillors. Let’s talk about the absences of the provincial government.

Bill 6, the Safer Municipalities Act, criminalized homelessness—with penalties of six months in jail and imposing \$10,000 fines. Passing regressive legislation without any public hearings is not helpful. Criminalizing homelessness is not helpful. Fining people who don’t have homes \$10,000 is not helpful. If they had \$10,000, they would spend it on rent or maybe a hotel.

1120

In 2024, new home enrolments were only 37,998. Housing starts continue to decline. This government’s plan to build 1.5 million homes in 10 years will take almost 40 years at this rate. Since Ontario ventured into building more homes faster by legislation in 2022, the results have been the exact opposite. We are now only building half of the homes that we used to build; there are only half the number of shovels in the ground.

This bill as written will reverse the elections of democratically elected officials by local population, by other elected officials. Would MPPs apply the same standards to themselves? Would MPPs support voting to remove other elected members of the Ontario Legislature? The decision for removal falling on council members is not supported. This is guild socialism. The province must not apply rules and standards to others that they wouldn’t apply to themselves.

Regarding municipal councillors and mayors controlling multi-million dollar budgets: The province controls a \$232.5-billion budget and did not hold any public hearings on this level of spending. Ontario’s debt is increasing at a faster pace than the entire country of Canada, yet no public hearings were held, and pre-budget hearings were cancelled due to the early call of an election. I’m one of very few people in Ontario whose voice was heard. However, due to the early election, nothing was considered. Half a trillion dollars in debt requires public hearings and participation. This government is open for business and closed to the people of Ontario.

I do support much of this bill, with the noted amendments. I do thank the government for bringing this bill forward, but it does need amendments.

Thank you for having me here this morning. I do look forward to answering your questions.

The Chair (Hon. Laurie Scott): Thank you very much.

We’ll move to the Association of Municipal Managers, Clerks and Treasurers of Ontario. State your names before you begin speaking, and please go ahead.

Ms. Danielle Manton: Thank you, Chair, committee members, Minister Flack, and attendees. My name is Danielle Manton, and I am the 2025-26 president of AMCTO. I am also the city clerk for the city of Cambridge. On behalf of the membership and the staff of AMCTO, I thank you for the opportunity to speak with you today as it relates to Bill 9, Municipal Accountability Act.

The Association of Municipal Managers, Clerks and Treasurers of Ontario represents over 2,300 members. Since 1938, we have provided education, accreditation, leadership and management expertise for Ontario municipal professionals. We are one of Ontario's largest associations of local government professionals, and the premier organization for professional development in the sector. Our members offer advice to municipal councils and are responsible for carrying out council's directions. That includes implementing new legislative requirements and all that that encompasses—including Bill 9, should it pass the Legislature. We also look out for the interests of municipal professionals across the province. Protecting the health and safety, well-being of municipal staff, elected officials and the public is paramount, which is why we are pleased to see the changes to the accountability framework for members of council within the bill.

While most municipal council-staff relationships and interactions are positive, respectful and focus on collaborating to achieve the community's goals, our members are telling us that, overall, relationships between elected officials and professional municipal staff are increasingly more confrontational inside and outside of formal council meetings.

Two things occur when abusive or threatening behaviour from a council member or members is permitted to persist: It creates an unsafe working environment for municipal staff, where there is little opportunity for that staff to effectively address council's behaviour. It also creates, or at the very least contributes to, a negative organizational culture, which eventually impacts a municipality's ability to attract and retain employees.

AMCTO made a submission to the initial public consultation in 2021 and to the more recent regulatory posting, when this bill was introduced during the last Parliament. We will share those in our written submission to the committee following today.

Today, I will take the opportunity to highlight a few of our insights and recommendations:

- protections for staff;
- additional penalties;
- implications of two-step investigations;
- removal provision; and
- model code and training.

The bill addresses some of our previously raised concerns and allows for our recommendations related to code standards and training, among others. We appreciate the government's response to these recommendations.

AMCTO appreciates that the Integrity Commissioner of Ontario has a wealth of expertise in supporting accountability and integrity within the provincial elected official system as a legislative officer.

We also note that there are several differences between the provincial system and the local government system, not the least of which is the number of governments and representatives across the provinces and the unique ways in which local governments operate.

We would welcome an opportunity to work with the ICO, if the bill passes, to collaborate to identify the

potential growing pains within a new framework and work through scenarios to determine how processes will be carried out.

Here are a few areas where we feel there could be improvements to the proposed framework.

In the current system, municipal staff, particularly senior municipal leaders, have nowhere to turn except council, who they are accountable to, and may be unable to seek the remedy required in these situations. That would still be the case if the bill is left as written.

While much of the details of the new framework are expected through regulations, AMCTO is flagging the need to encourage stronger ties between the code of conduct and existing legislative employment standards and other interrelated policies—for example, aligning the council-staff relations with the Occupational Health and Safety Act policies regarding workplace harassment and violence, as well as the Municipal Elections Act requirement for use of corporate resources.

Where existing legislation respecting workplace violence and harassment policies may not explicitly include elected officials, consequential amendments should be made to ensure that these are covered.

Our view is that municipal councils have a duty of care for the welfare and well-being of employees of a municipality, including fostering a welcoming, supportive, civil culture.

The increasing incivility, harassment and political interference in the duties and responsibilities of municipal administrators is problematic, and not only from a physical, mental and emotional well-being perspective. It has implications from a recruitment and retention perspective as well. Municipal staff require a place to turn for advice and support when it comes to problematic or troublesome interactions with members of council. This has been exacerbated by the strong-mayor system, which puts CAOs and senior leaders in tenuous positions. Some solutions to better protect municipal staff are needed.

To foster a culture of accountability and transparency in employment matters, AMCTO continues to call for the removal of strong-mayor powers related to employment.

Our members believe that the sector would benefit from additional penalties to discourage poor or bad behaviour that does not meet the threshold for removal. The committee should look to other Canadian jurisdictions which set out a wide range of sanctions.

There are some concerns about the length of this process given that it creates the need for two inquiries if a local integrity commissioner decides to pursue this course of action. It could be further lengthened if a member subject to the investigation were to request a judicial review which would require a third inquiry. This lengthy process requires witnesses and the complainant to be interviewed multiple times. In cases of harassment, that may be very damaging and challenging.

Again, from an implementation perspective, there could be a challenge with subsection 223.4.0.4(5), which deals with consequences of the ICO's recommendation to council.

The Chair (Hon. Laurie Scott): You have 40 seconds.

Ms. Danielle Manton: Thank you.

In closing—I'll wrap up—we would encourage the committee to review the materials we will be submitting, as there are a number of other areas that would benefit from legislative clarity and filling in some gaps, including timelines for investigations, scenarios that may disrupt proceedings, procedural practicalities of notice—of reports.

I thank you very kindly for listening to us today.

The Chair (Hon. Laurie Scott): Thank you very much for your presentations.

We'll now begin with questions and the official opposition. MPP Sattler, please.

Ms. Peggy Sattler: Thank you to our three deputants for attending this important process today and providing some recommendations.

I want to begin with the Association of Municipal Managers, Clerks and Treasurers of Ontario. Certainly, I have seen the surveys that you have conducted that highlight the increased incidence of abusive behaviours in the workplace that municipal staff are experiencing. I really appreciate your recommendations about changes that could be made to this bill to protect staff from abusive behaviour.

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You mentioned that you will be bringing forward some more detailed recommendations in your brief, but could you speak now as to a summary of what kinds of changes you would like to see in this bill that would help address the abusive behaviours that staff might be on the receiving end of?

Ms. Danielle Manton: Thank you very much for your question.

I think that we would like to see further enhancement of the requirement for training of council and, though it's mandatory, making it something that is regularly reviewed by the integrity commissioner and council themselves, to further educate council and make it something that they are constantly aware of.

We also think that codes of conduct should be tied to other existing legislative standards, such as occupational health and safety and the municipal council-staff relations policy.

Those are just a couple of changes that I can speak to, high level.

I don't know, David, if you have something—

Ms. Peggy Sattler: Thank you for that.

You also talked, in your presentation just now, about the need for additional penalties for bad behaviour.

One of the concerns that I have heard very strongly about this bill is the fact that egregious behaviour that might trigger an investigation by a municipal integrity commissioner and then the provincial Integrity Commissioner recommending removal—if it goes back to council and there is not a unanimous vote, then there could be no consequences whatsoever.

I wonder if you could elaborate a little bit about the additional penalties that you would like to see. And do you

believe that if there is not a unanimous consent vote, there should still be the ability to impose some kind of consequence or penalty on the councillor who was engaging in such egregious behaviour that it triggered these investigations in the first place?

Ms. Danielle Manton: AMCTO's interests are in protecting staff, as well as ensuring that operations are not impacted by the lack of clarity and inability to resolve some of these issues. It would seem to us that there should be somewhat progressive penalties to try to ensure remediation or correction of behaviours, to avoid constant disruption.

I think that one of the pieces around training that could be considered is additional training—not just a one-time, beginning-of-a-term training, but ongoing training, so that it is constantly top of mind for councils. I don't think that if we had that ongoing training and awareness, we would end up in a situation where we would get to removal—or I certainly hope it would help diminish some of that.

In terms of your question around, do we believe that if there is not removal passed by a local council—should there be additional penalties? I definitely think we'd be open to exploring that. On behalf of our members, I can't speak specifically on whether or not we think there should or should not be—but I definitely think there's room for improvement.

Ms. Peggy Sattler: I also was struck by your comments about the lengthy process that is set out in this bill and the investigation that would involve interviewing witnesses.

Certainly, in the recent case in Ottawa with Councillor Chiarelli, we know that there were a number of witnesses who were interviewed—and the retraumatization that they experienced throughout that interview process.

What recommendations would you have to try to limit that retraumatization that may be experienced? Do you have some specific suggestions about how the process could be streamlined so it doesn't carry out over such a long time frame?

Ms. Danielle Manton: Thank you for that question.

I do believe that a lengthy process does potentially cause harm to those who may be victim to a situation, and I think repeated questioning is also very traumatic—it can be, so I do personally have concerns about that, on behalf of our membership. However, given that we will be providing a submission following today, I think we would like to give more consideration to specifically how we think that could be streamlined. I do think there are some opportunities there, especially in that two-step piece—

The Chair (Hon. Laurie Scott): You have 45 seconds.

Ms. Danielle Manton: —but we would like a little bit more time to think about what those specific recommendations would be.

Ms. Peggy Sattler: Finally, you talked about your support for training, and you've mentioned that in your responses to me.

Do you see opportunities to even strengthen the provisions that are included in this bill around training?

Ms. Danielle Manton: I do. Thank you for that question.

I do think that there's an opportunity to do more training of councils. It's typical that you would have training, at the beginning of a term, from your integrity commissioner to your council on the code of conduct. I could see us recommending that we would ask for annual training. Quite often, as a member of council, you're dealing with many different demands and constituent inquiries and large issues. And I think that this training would keep that at the forefront.

The Chair (Hon. Laurie Scott): We'll go to the third party. MPP Watt.

MPP Tyler Watt: My first question is going to be for Mayor Sloan.

Something that you mentioned was the concern around financial help and resources.

I'm more familiar with the city of Ottawa, and we are going through quite a bit of budget issues and stresses right now.

When the government implements something like this, I find, in history, it often does not come with those things—certainly, expecting something to be implemented within a certain time frame.

I'm just wondering, from your experience in the municipality that you come from, what is something that the provincial government could do to help address those stresses with you?

Mr. Andrew Sloan: Thank you very much for the question.

We have a budget where a 1% increase translates through to \$170,000—so not a lot of industry. As you likely know, our agricultural friends pay less than market value for their taxes. So for any new program, and as we say—and I like the discussion about things being progressive penalties. I thought that was an excellent comment. So we're limited in what we can do.

We try to offer fiscal responsibility to our constituents.

I'll give you an example. Last year, we were faced, as were other municipalities, with increased costs for OPP. That was going to be a real hit, and the province stepped in, which we very much appreciated, and subsidized it for us, because that was an unexpected increase due to the labour situation and the costs that were attributed to all municipalities.

So I think what we need in areas like Central Elgin is an understanding that we don't have the same budget as some of the larger venues, but we have the same needs.

And when it comes to anything that the bill purports with respect to trying to make things more democratic—we think it's an important venture. We think it's important that there's also, to show how important it is, a contribution from the province for those that don't have, perhaps, as much revenue as others.

MPP Tyler Watt: Thank you very much.

My next question is for Ms. Manton. I was quite moved by your presentation—and in particular, bringing up the idea of retraumatizing victims, essentially. We want it to be a strong and accountable process, but we also need to remember the victims, at the end of the day.

Something that you mentioned was that you've seen an increase in confrontations between staff and elected officials. This is kind of where my nurse brain kicks into gear, and I like to think about prevention, that upstream approach.

I'm wondering if you have any insight, I suppose, into what has been causing these increased situations of confrontations and stress. And I'm just wondering what we can do, possibly, to help address that—instead of more band-aid solutions.

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Ms. Danielle Manton: Thank you for your thoughtful question.

I actually sympathize with elected officials.

I think that we are seeing incivility on the rise across our country and North America. I don't know what the source of that is; I'm sure there are lots of different theories out there.

However, I do sympathize with elected officials because I think that they are receiving quite a large amount of incivility themselves, whether it be from constituents who maybe have a misunderstanding of jurisdictions of local councils or otherwise—but I also know that staff are seeing that, and staff are feeling that pain as well.

As it relates to actual integrity commissioner matters, I really do feel the only step to really help improve this is the training piece. I keep harping on that, and I'm sorry, but I really do feel like that increased awareness—and I don't necessarily think this needs to be in closed session; it should be open-session training that our public also is privy to, that staff see as well.

I recognize that these integrity commissioner reports that come forward sometimes—and whether there are two steps, three steps, whatever it may be—could further victimize somebody who's involved. But that could also be an elected official.

So it's not just about the staff and council relation—it is also about the public. It's about the people who elect their elected officials. It's about the elected officials themselves.

I really think that the widespread—the bill changing to require annual training will help in the long run.

MPP Tyler Watt: I'm a big believer in education, and I couldn't agree more that access to this type of training is going to be key and huge in addressing it.

That's definitely something that I will be advocating for within this bill, to make sure that not only—

The Chair (Hon. Laurie Scott): You have 50 seconds.

MPP Tyler Watt: Thank you—do we make sure that everyone in every municipality has access and resources to this training, but that it will be effective and helpful, as well.

Thank you all so much for coming here today and sharing with us.

Mr. Andrew Sloan: Am I allowed to make a comment?

The Chair (Hon. Laurie Scott): Yes. Please go ahead.

Mr. Andrew Sloan: I just wanted to answer your question with one of the issues—social media is the

problem, for the lack of respect. It's infotainment. People don't think there are consequences for calling people names online. You've all gotten it—everyone who is an elected official. They call them keyboard warriors. But that, to me, has taken down—you used to have to write a letter to the editor; they had to check the information; they had to say whether it was true or false. But you can put anything online.

As a newer politician, for me—one of the local mayors said, “Your skin will thicken.” It does.

Ultimately, just to say—

The Chair (Hon. Laurie Scott): Thank you. Sorry about that. We're out of time.

Over to the government side: MPP Sandhu.

Mr. Amarjot Sandhu: I would like to thank all of the presenters for being here today and for your presentations.

I would like to direct my question to Mayor Sloan.

Mayor, I believe we had the opportunity to meet at the ROMA conference. It's good to see you again. Thank you for sharing your insights and providing feedback on this bill.

My question to you is, do you think a centralized regional system would be useful to assist smaller municipalities with providing access to integrity commissioner services?

Mr. Andrew Sloan: Through the Chair: Thank you very much for the question.

I think there are pros and cons. We have, in Central Elgin, had two integrity commissioners: one who was not as proactive and not as interested in understanding a small community, versus the one we have now, who, as I would say, is far more proactive and gets it. So there's a certain amount of discretion that goes with the integrity commissioners. I think there needs to be some standardization—I feel I'm mincing words here, because you're asking me if I'm a big thinker or a details guy. In that interview question, you're supposed to hit a little on both of them, I think. I think a standardization process, with perhaps some influence by the actual municipality—as we do on other issues.

Mr. Amarjot Sandhu: Before I pass to my colleague, another question is, what do you think are the most important considerations for an effective code of conduct that balances the needs of different municipalities?

Mr. Andrew Sloan: We have a code of conduct at Central Elgin. It's very rigorous. If council breaks the rules—they're taken to the integrity commissioner, she makes a ruling on it.

I think that when it comes to providing detailed procedural guidance on how the process works for municipalities, it is always beneficial. I believe that when you become an MPP or an MP—I was reading about the recent election—you have a liaison officer from the Legislature or the House of Commons. You also have party systems where there's support. You don't have that in a small municipality. The CAO gives a call and says, “The first meeting is going to be December 5. We hope you can make it.” So I believe there are opportunities for support that have been mentioned.

The Chair (Hon. Laurie Scott): MPP Saunderson, please.

Mr. Brian Saunderson: How much time do I have?

The Chair (Hon. Laurie Scott): Three and a half minutes.

Mr. Brian Saunderson: Thanks very much.

Thank you to all of our panel for coming here today and sharing your feedback on this important legislation.

I'm going to direct my first question to you, Ms. Manton.

I come from the municipal sector. I was in the municipal sector for eight years and served as the mayor of Collingwood for the last four of those. So I'm very interested in your comments about the staff-council dynamic. We had a judicial inquiry where it was 306 recommendations from Justice Marrocco—and if you want to talk about lengthy proceedings, those are one of them. It was a very important proceeding, and I think I see in this legislation a reflection of many of Justice Marrocco's recommendations. One of the key issues there was undue influence by particular council members over staff, and a staff member, a CAO, was terminated.

It's part of that world, your world, isn't it?—this type of friction, and your comments about incivility.

I'd just like to get your comments on, first, the idea of a standardized code of conduct, and then tug on the thread of the training and consistency across the province, because right now I don't think we're seeing that. And maybe you can comment on whether you think we're seeing consistency in this integrity commissioner relationship right now.

But I'll start you off with just the standardized code of conduct and whether or not you see helpfulness in consistency there.

Ms. Danielle Manton: Thank you for your question.

I do think that there's some benefit to consistency. I think there are some inequities across codes of conduct throughout the province, and I think that having a consistent, provincially mandated code of conduct could be a positive thing. I don't necessarily look at it as a negative. I also think that if mandatory training comes along with that and it's a rigorous training—whether that be annually or whatever—I think that also helps strengthen that code of conduct. Obviously, I would hope that amendments, as needed, could be made as well. But I definitely think there's a benefit to a consistent code of conduct.

I also think that sometimes codes of conduct can become aged quickly and require review, and that takes a great amount of time of the integrity commissioner and quite often municipal staff and then council to review, and sometimes that ends up getting kicked around a lot. So providing that mandated, consistent approach, I think, is a good thing.

Mr. Brian Saunderson: One of the intentions of when we first came out with the integrity commissioner scenario was that it's a—

The Chair (Hon. Laurie Scott): One minute.

Mr. Brian Saunderson: One minute.

It's a two-way dialogue. In other words, the commissioner is not just there to punish if somebody steps out of line; they're there to educate and train, and different municipalities having different relationships—we heard from Mayor Sloan about his experience with two different integrity commissioners. The idea of having the integrity commissioner there to train council, to work with council—while I was mayor, we had our integrity commissioner in three times for training sessions and one opportunity just to review and update our code of conduct.

So I appreciate your comments about the training, because it is an iterative process.

If you had your way in the world of training, what would you like to see in the training program?

Ms. Danielle Manton: Thank you for that question.

I think that there's opportunity for the integrity commissioner to play a role in that training, but I also think that there's an important role for staff to play, whether that's the CAO or clerk or another municipal leader. I think it's important that that only helps build trust between elected officials and their municipal staff. I think interactive training—not just case studies—is important, where they're really getting an opportunity to work through some scenarios. I think that helps everybody absorb differently and learn differently.

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So I think, really, it doesn't necessarily need to be a mandatory training from the province. It could be required that staff design that training in consultation with their integrity commissioner.

The Chair (Hon. Laurie Scott): We will go over to the official opposition. MPP Sattler.

Ms. Peggy Sattler: I want to focus this second round of questioning on the issue around the vote that could be taken in council following two integrity commissioner investigations, if there is support for removal of a member.

Mayor Sloan, you mentioned this in your comments—that there's a need for clarity around the protocols involved in that council vote.

And Ms. Manton, I noticed in your February 2025 submission to the regulatory posting that that was also a concern that you identified—the clarity around members who are absent during the vote.

So I would actually appreciate hearing from both of you a little bit more about those concerns if there isn't clarity, and any suggestions you might have to strengthen the bill and address this issue.

I'll start with Mayor Sloan.

Mr. Andrew Sloan: Oh, goodness. I was going to defer to down the hall.

Ms. Sattler, you've had far more experience in municipal government, through the school board, than I have, and I say that only as the mayor for two and a half years. I came here today, partly learning from the comment that was made by my colleague here, to say that what happens after, if there is one vote against—on a seven-person council, the person who's accused doesn't vote, correct? Then that would be one person recused, and you'd have five of the seven suggesting this person be removed. I'm looking to

you, the committee, for the answer on that one, because quite frankly, I don't know how that would go.

I brought up earlier how they talked about—I think your comment was “progressive”; wasn't it “progressive penalty”? So I'm going to respectfully pass down to someone who has been in the job a little more. I know there's an issue, but I don't have all of the answers on how that issue is remedied, especially when it's a huge piece of having someone removed from office. That's for wiser folks than me, I'm afraid.

Ms. Peggy Sattler: Ms. Manton?

Ms. Danielle Manton: Thank you for your question.

AMCTO understands the need for a high threshold when removing an elected member of council from office, but we do think that the government could consider a voting threshold of two thirds of council, as AMO has also proposed.

I would like to highlight that one of the roles, I think, of the head of council is to also consider council's cohesion and how they work together. To actually have an integrity commissioner matter go through two independent accountability officers, only to then put the onus on that council, who is also meant to collaborate and be united in some of their decision-making where possible—it's very difficult for a council to show up and have to have a unanimous vote on something that is actually affecting one of their own members. So I do think that looking at a threshold of two thirds of council would be something that we would recommend.

Ms. Peggy Sattler: And further to that, one of the biggest, I think, criticisms about this bill has been the risk that it creates of politicizing the process, when you put it back on council with that requirement for a unanimous vote for removal. The fact that you are now thinking that a two-thirds vote would be a better approach—does that mean that you share some of those concerns about a politicization, and can you elaborate a bit more about that?

Ms. Danielle Manton: We do share those concerns about the politicization. Ultimately, I think that it puts council in a very difficult position, to have to make those decisions. Two thirds would be the best-case scenario if we are forced to have to have it come back to council after going through to steps of an accountability officer. And then, obviously, as I mentioned earlier, we will provide further comment in our submission as it relates to what those progressive penalties could look like or, instead of a removal, what the option could be if removal was not passed.

Ms. Peggy Sattler: An earlier iteration of a draft bill that was never tabled, back in 2021, had a completely independent judicial process; there would be a judge who would be involved in making the recommendation for removal. Is that something that you would support, or do you feel that the two-thirds council vote is a better solution?

The Chair (Hon. Laurie Scott): A minute and 10 seconds.

Ms. Danielle Manton: Thank you.

There are several options that I think the government can consider, including bringing an application before the

court. We know that it was part of AMO's original recommendation, and we're very supportive of this. Should the government consider that mechanism, AMCTO recommends promoting greater knowledge of municipal issues in the judicial system.

Ms. Peggy Sattler: The last question I want to ask is, very quickly, around the financial pressures on smaller municipalities. You, Ms. Manton, may also have a sense of this, but would you support the need for some dedicated funding for smaller municipalities to handle this process that's set out in the bill?

Ms. Danielle Manton: Yes, I think AMCTO would be very supportive of assistance to smaller municipalities for this.

The Chair (Hon. Laurie Scott): We'll now go to the third party. MPP Watt, please.

MPP Tyler Watt: Staying on theme with my colleague here—my question for Ms. Deeb. I see here that you mentioned that the decision for removal falling on council members is not supported. That has been a big topic of today—whether that's the appropriate method and threshold to remove someone from council. I'm just wondering what your thoughts are on that, as it stands in the bill today, and what recommendations you would have for actually dealing with that removal.

Ms. Nina Deeb: Thank you for the question.

I think the decision should go to a judge. I don't think that your peers are who should be making these decisions. It is politicized. I've spent a lot of time at the municipalities. This is actually my municipality right here. I delegate to every level of government. It should not be your peers; it should be somebody who is non-arm's-length—that could make that decision. I think that we're not going to get anywhere when it's your peers. It's not fair to the peers, and it's not fair to the individual.

MPP Tyler Watt: Going back to the training piece and where my colleague MPP Saunderson was discussing—if we were to do that, provide centralized training and resources, how could we more effectively implement said training in every unique municipality like your own? What would you like to see from us to help with that?

That's a question to all of you. I'll start with Ms. Deeb.

Ms. Nina Deeb: I think one of the things that would help is to have a clear set of rules. I often see people show up at council who have no idea what the protocol is or the respect that's required. They're speaking very fast. It's very heated. It would be very helpful for education—education is the component that would help the most.

Ms. Danielle Manton: Thank you for the question.

On behalf of AMCTO, I would welcome the opportunity for us to work with the province on any training—but I also think there are multiple staff associations throughout our province that would also be open to potentially partnering and providing some assistance to design some training that would be consistent across.

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Mr. Andrew Sloan: Through the Chair, to the MPP: I had to have three hours of training to be on the OPP police

services board; I had to have zero to be the mayor of Central Elgin.

In-person training using real examples, opportunities to show best practices—all at the onset of the term.

Minister Flack talked about May 1. We have to declare at the end, by August-something—but on day one, whenever the municipality starts, I think there should be some training.

We have opportunities, as I say, through the police boards for Elgin county. I had to do approximately three hours of training. I'm not interactive online—I'm starting to sound like an old person. I think that would be something, and that would give in-person and real examples that might be applicable.

The Chair (Hon. Laurie Scott): We'll move to the government side. MPP Babikian, please.

Mr. Aris Babikian: My first question is to Ms. Manton.

One of the critical issues in this whole process is the fear of reprisals. How can we work out a process where the victim will be protected from reprisals?

Ms. Danielle Manton: Thank you for your question.

I think that, as I've mentioned, there's an opportunity to align the work of this bill with other policies, such as occupational health and safety. I think that is the way that we can look at protecting anyone who does come forward with these complaints.

I think that having that consistent code of conduct across the province should reference all of the different acts and policies and legislation that exist that would assist and provide that kind of consistent thread throughout, around protection of employees when it comes to harassment and workplace incidents.

Mr. Aris Babikian: A follow-up: How can the government work with your organization to implement any changes through Bill 9? That is a very important issue and element.

Ms. Danielle Manton: We welcome the opportunity to consult further. We will provide a follow-up submission following today. We welcome further meetings with the province and anyone who wishes to meet with us to further discuss how we can improve and enhance this bill.

Mr. Aris Babikian: My final question is to the mayor.

Do you think a stronger relationship with the Integrity Commissioner of Ontario would enable local integrity commissioners and municipalities to deliver on their responsibilities more easily and conveniently?

Mr. Andrew Sloan: I believe so. In the short period of time, I think it would be of value to have some back and forth between the two. So I would say "yes" is the answer to the question.

Mr. Aris Babikian: I pass it to my colleague.

The Chair (Hon. Laurie Scott): MPP Saunderson, you have four minutes, please.

Mr. Brian Saunderson: I'm going to go to you, Mayor Sloan. I notice you worked in the steel industry. So you've gone from the melting pot to the mayor's chair, and sometimes that chain of office is a little heavier than others, I know.

I appreciate your comments on knowing that \$170,000 is 1% on your tax roll.

Mr. Andrew Sloan: A \$17-million budget.

Mr. Brian Saunderson: Yes—\$170,000; sorry?

Mr. Andrew Sloan: No, \$170,000. This is a \$17-million budget, so 1% is \$170,000.

Mr. Brian Saunderson: Yes. When I was in the mayor's chair, it was \$336,000. That's how you measure your world. So I appreciate your concern there.

In my riding, I have seven municipalities, and in the smallest, \$50,000 is 1%.

So, talking about bandwidth to ensure accountability and transparency, which is an important issue for all our residents—do you get an annual report from your integrity commissioner about the number of complaints and the costs that are incurred in the municipality each year?

Mr. Andrew Sloan: Through the Chair, to MPP Saunderson: I don't know if we did with the last one, but we do with the current one. As I was mentioning, she came in and spoke to us in camera and we were going to have her back to speak in an open session. I know we were going to have one with the last integrity commissioner. I'll ask our CAO. I don't think we did with the last one.

Mr. Brian Saunderson: I remember, we would do the same. Annually, we got a report and, on average, I think each complaint—at least ones that got past the vexatious point—cost us about \$8,000. Part of the issue from my experience on that was because every municipality may have similar provisions, but they have different wording, so everything is creating—they're basically rebuilding the wheel every time you get a complaint.

So I think one of the big issues I see with the standardized code of conduct is the integrity commissioners know that it doesn't matter which municipality they're in or what the size of the municipality is—the wording is the same, so it's really an application of that wording to the facts. So it actually, in my prediction, would help to assist to cap costs. It should become more efficient, particularly as the code of conduct gets applied across the province. Do you think that's the case?

Mr. Andrew Sloan: I do, but our previous integrity commissioner charged us, even to determine whether a claim was vexatious. So I've seen both sides, and I've seen that there are those who are looking at it more as a profit centre than—and I'm not trying to impugn anyone.

The Chair (Hon. Laurie Scott): You have 50 seconds.

Mr. Andrew Sloan: Thank you. I wish it was fewer.

I think that, to answer your question, I agree with standardization of the rules; I have a little issue with implementation.

Mr. Brian Saunderson: Part of this legislation is requiring the provincial Integrity Commissioner to be responsible for training of an onboarding of integrity commissioners. Do you think that would help to address your concerns about the differential between the disparity, I think, of skill sets and abilities of the various integrity commissioners?

Mr. Andrew Sloan: I do. I also think that when we look at people who are new—I talked about training for

new people and also people who have been there a long time, because there are two different dynamics at play. If I had been the mayor for 10 years or a councillor for 10 years, well, things will have changed during my term. So I'm glad that the questions that our committee is taking on are being asked. They're important.

Someone talked about—or, respectfully, you talked about whether—

Interjection.

Mr. Andrew Sloan: Nina—sorry—said whether or not peers should be the people involved. What about—

Interjection.

Mr. Andrew Sloan: Are we done?

The Chair (Hon. Laurie Scott): I am so sorry. We're out of time.

Thank you, for this morning, to all the presenters who came.

This committee stands in recess until 1 p.m. this afternoon, when we will resume public hearings on Bill 9.

The committee recessed from 1208 to 1302.

The Chair (Hon. Laurie Scott): Good afternoon, everyone. I call this meeting of the Standing Committee on Heritage, Infrastructure and Cultural Policy to order. We are meeting to resume public hearings on Bill 9, An Act to amend the City of Toronto Act, 2006 and the Municipal Act, 2001 in relation to codes of conduct.

To ensure that everyone who speaks is heard and understood, it is important that all participants speak slowly and clearly. Please wait until you are recognized by the Chair before speaking. As always, all comments should go through the Chair.

As a reminder, each presenter will have seven minutes for their presentation. After we have heard from all the presenters, the remaining 39 minutes of the time slot will be for questions from members of the committee. This time for questions will be divided into two rounds of six and a half minutes for the government members, two rounds of six and a half minutes for the official opposition members, and two rounds of six and a half minutes for the third party.

ASSOCIATION OF ONTARIO ROAD SUPERVISORS

MS. KATHRYN DESROSIERS

ONTARIO MUNICIPAL ADMINISTRATORS ASSOCIATION

The Chair (Hon. Laurie Scott): I will now call on the Association of Ontario Road Supervisors, Kathryn Desrosiers, and the Ontario Municipal Administrators Association.

Kelly, would you like to start? Just say your name when you begin. Thank you.

Ms. Kelly Elliott: Good afternoon, Chair and members of the committee. Thank you for the opportunity to speak with you today regarding Bill 9. My name is Kelly Elliott, and I am here representing the Association of Ontario Road Supervisors.

For those of you who are not familiar with us: We are a provincial organization. We represent municipal public works professionals from across the province. We have over 2,000 members in the province, and we support our members through training, certification, networking, advocacy. To note, we are authorized under provincial legislation to administer the Certified Road Supervisor program.

I am here to voice strong support for this bill, on behalf of AORS, and to advocate for the critical improvements still needed to protect municipal staff across Ontario.

I would first like to extend my thanks to the Honourable Minister of Municipal Affairs and Housing for once again bringing forward this legislation to strengthen the codes of conduct for municipal elected officials. This is not the first time this legislation has been introduced, and the persistence to address this long-standing issue is very much appreciated.

Let me be clear: The municipal employees across Ontario who AORS represents do not have the same rights to a safe and respectful workplace as any other worker in this province does. They are expected to work under the authority of elected officials, mayors, councillors and reeves, who can commit acts of abuse, harassment or discrimination without meaningful consequences. Unlike in the private sector or broader public service, there is no mechanism for removal of elected officials whose behaviour is egregious or violent. There is no protection from retaliation for those who report misconduct, and there is no safety net for staff trying to do the right thing by speaking up. Right now, the only consequence for an elected official who retaliates against a staff member for filing a complaint is another integrity commissioner complaint. There are no real safeguards, no whistle-blower protection, and no assurance that their jobs, their mental health or their safety will be preserved. This is unacceptable.

Bill 9 takes an important step in recognizing that that gap exists, but it must go further, particularly when it comes to enabling the removal of officials found to have committed serious acts of harassment or violence.

Previous versions of this legislation propose a judicial review process, which added a layer of independence and fairness. That safeguard is missing from Bill 9. Instead, the current version returns this decision to municipal councils, many of which are rife with political alliances or fear of setting precedents. If council is to retain this authority, then, at a minimum, the threshold for a removal should be changed from unanimous consent to two-thirds support; otherwise, a single colleague can shield an abuser from consequences. Beyond that, having the decision for removal to go back to council is not best practice. We believe that the government should establish a provincial integrity commissioner panel, an independent body of qualified professionals who can oversee the most serious cases with transparency and objectivity, instead of only the provincial Integrity Commissioner. This distributes power at this level, helping to support a fair and balanced expert recommendation on any code violation. Council should be

removed completely, as relying on local councils to be the last standing tier for an adjudication of the most severe breaches of conduct is neither fair to the victims nor is it effective in delivering accountability.

In addition, we urge the committee to consider these nine critical recommendations:

Whistle-blower protection: Municipal employees must be able to report misconduct without fear of losing their jobs or being targeted. Protection must be embedded in this legislation.

A duty to report: Safe workplaces are everyone's responsibility. All municipal officials and staff should be required to report known or suspected abuses.

Including workplace discrimination as a specific violation in codes of conduct: Discrimination, whether based on gender, race, disability or any other protected ground, is a form of abuse and should be treated as such.

Prioritizing egregious acts of violence, harassment and abuse that create a hostile workplace and pose a safety risk to others: These cases must be moved to the front of the line and be resolved swiftly.

Strengthening penalties: Any councillor removed for a serious code violation should be ineligible to run for at least two full terms and must disclose their prior removal when seeking future office.

Expanding penalty options: If removal is unactioned, there must be a menu of alternative penalties available, greater than a simple reprimand or a suspension of pay. Consequences must be proportionate and enforceable.

Dismissal of frivolous complaints: Integrity commissioners must have clear authority with specific provisions to dismiss frivolous or vexatious complaints, so the process remains focused and fair.

A minimum standard for integrity commissioners: All integrity commissioners should be required to meet consistent, professional qualifications and training to ensure consistent application of the code and public trust.

Lastly, an automatic leave for criminal charges: If a councillor is charged with assault, they should be placed on leave, just like we expect for police officers, firefighters, teachers, or any other public servant. If convicted, removal should be automatic. It's a basic standard of integrity for holding public office.

In closing, the role of a councillor is a privilege. It is not a shield for the perpetration of abuse.

Municipal employees deserve dignity, safety and respect, just like every other worker in this province. Let's not allow loopholes, politics and outdated processes to prevent that any longer.

Thank you for your time.

The Chair (Hon. Laurie Scott): Thank you very much for your presentation.

I will now ask Kathryn to go next, please.

Ms. Kathryn Desrosiers: Thank you, Chair and committee members, for this opportunity to be here today. My name is Kathryn Desrosiers. I'm a municipal councillor in the town of Aylmer and one of the youngest women elected to serve on my council.

I want to begin by recognizing the government's intent with Bill 9: to strengthen accountability and to foster safe, respectful environments in municipal government. These are goals I wholeheartedly support.

However, the approach taken by Bill 9, as currently written, raises serious concerns. While designed to promote accountability, the bill risks creating new vulnerabilities within municipal governance, especially when it comes to due process, local democracy, and the potential for political misuse.

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The first concern I have is regarding the ambiguity of language and the risk of political misuse. The bill proposes that a member of council may be removed if the conduct "has resulted in harm to the health, safety or well-being of any person." While this may appear reasonable, this phrasing is far too vague and open to interpretation. Without a clear and objective definition of what constitutes harm, this bill will be misused. Council alliances, particularly in contentious or politically divided environments, can exploit this vagueness to target and remove political rivals under the guise of misconduct, even when no ethical or criminal wrongdoing exists. A clear, consistent standard is needed, particularly one that explicitly outlines what behaviours meet that threshold for removal—for example, sexual harassment, physical assault, or criminal convictions. The integrity of this tool hinges directly on its clarity.

The second concern I have is the impact on local democracy and public service. I worry that the current approach will deter qualified candidates from seeking office, especially in smaller or more adversarial councils. The prospects of being removed through a subjective or politicized process, without due process, could discourage women, young people, and equity-deserving groups from stepping forward to serve. Rather than strengthening democracy, this could inadvertently narrow it.

Thirdly, the accountability of integrity commissioners themselves: If we are to empower integrity commissioners with greater influence in the removal process, then we must also ensure greater transparency and accountability within that office itself. Currently, there is no effective mechanism for oversight, appeal or review of an integrity commissioner's conduct or decisions. This is particularly problematic in cases where commissioners themselves are subject to bias, conflict or complaints. While Bill 9 does propose that removal recommendations from a municipal integrity commissioner be reviewed by the provincial Integrity Commissioner, this review, on its own, is not enough. It is essential that the entire evidentiary record from the municipal investigation be submitted to the provincial office, not just the final report. This includes all relevant testimony, documents, correspondence and counterevidence. A comprehensive review requires full context; without it, there is a risk that decisions will be made based on selective or incomplete information. By ensuring the full investigative package is submitted for provincial review, we can uphold both transparency and procedural fairness.

I also strongly encourage the establishment of a diverse, impartial panel of provincial integrity commissioners to review such serious cases. This would help ensure fairness, consistency, and restore public confidence in this process.

I share these concerns not just as theory, but from lived experience. In November 2024, I was the subject of an integrity commissioner investigation that the Law Society of Ontario later found to be improperly mishandled. The investigation was not conducted equitably. Information was admitted, perspectives were selectively chosen, and testimony was not sought from all relevant witnesses, including myself. The resulting report reflected a distorted version of events, omitted evidence and was based on hearsay alone. This was not an investigation; it was a form of political persecution. Had Bill 9 been in place at that time, I am confident it would have been utilized to unjustly remove me from office. This experience is not unique across Ontario, and it highlights the urgent need for checks and balances, so that accountability mechanisms are used fairly and not as political weapons.

In closing, I want to restate my support for ethical and accountable government. I support the removal of elected officials who engage in criminal misconduct. That process must be clear, it must be fair, and it must be protected from political abuse.

Thank you for your time in considering this important perspective.

The Chair (Hon. Laurie Scott): Thank you very much for your presentation.

I will now move over to Michael from the Ontario Municipal Administrators Association.

Mr. Michael Di Lullo: Thank you for the opportunity to speak today. My name is Michael Di Lullo, and I'm here on behalf of the Ontario Municipal Administrators Association, otherwise known as OMAA. We represent chief administrative officers, city managers, and senior municipal executives across Ontario.

As the bridge between elected councils and the municipal administration, our members are uniquely positioned to see the real-world impacts of governance, where good policy supports strong communities and where gaps can leave both employees and the public vulnerable.

Let me start with this: OMAA strongly supports the introduction of Bill 9, the Municipal Accountability Act. This is a critical step forward in addressing harassment, improving accountability, and enhancing trust in municipal government. It's long overdue, and we are keen to work with the government to ensure this legislation delivers on its full potential. But getting it right matters. For this legislation to be effective, it must be enforceable, timely and depoliticized.

Let's be clear about the current reality. A recent OMAA survey found that more than 75% of municipal executives have witnessed or experienced harassment or bullying by elected officials; over 76% reported being personally targeted. These aren't just statistics. These are people trying to serve their communities, facing threats, verbal

abuse, online attacks, and even repeated physical intimidation. Harassment leaves real scars. It drives people out of public service. It deters skilled professionals from joining municipalities and then creates toxic workplaces that are hard to repair. And all too often, perpetrators face little to no consequence. This must change.

What are we proposing? First, we need a clear and consistent range of penalties, just like those implemented under the Education Act in 2023. These should include censure, removal from committees, exclusion from leadership roles, barring from meetings, and, in the most severe cases, removal from office. This graduated approach ensures the response matches the behaviour and gives the integrity commissioners the tools they need to act properly, swiftly and decisively.

Second, you must remove politics from the most serious decisions. Bill 9 currently proposes that removal from office be subject to a vote of council. That's not good enough. It risks retraumatizing victims and turning serious misconduct into a popularity contest. We believe removal should be a legal decision, not a political one. Integrity commissioners or municipalities should be able to apply directly to a judge in the most egregious cases. Let's handle these matters the way we handle other serious breaches of workplace safety: through an independent, trauma-informed process. If the government chooses not to adopt this depoliticized route, we urge a shift from requiring a unanimous council vote to a super majority of two thirds. Anything less sets the bar far too high, as one vote can block meaningful action. A super majority strikes the right balance between fairness and accountability.

Third, the process must be timely. As Minister Rob Flack rightly said when introducing Bill 9, "Keeping bad actors on the payroll has negative consequences for the entire employment population ... and it has to be dealt with ... expediently." We couldn't agree more. Waiting up to three years for an election to remove a disruptive councillor is unacceptable. Toxic individuals undermine morale.

Fifth, integrity commissioners must be better supported. This includes: (1) requiring standard qualifications, as done in the education sector; (2) empowering them to issue binding decisions, not just recommendations; (3) encouraging the use of mediation early in the process to resolve disputes quickly and respectfully.

When victims don't believe the system will protect them, or when offenders brag about escaping discipline, we lose the moral authority of our institutions. This cannot be allowed to continue.

Finally, while harassment is a serious matter, we also recognize that any complaint mechanism must be protected against misuse. Bill 9 should define who may file a complaint and ensure that those found to have submitted false or vexatious claims face appropriate consequences.

This is a watershed moment for municipal governance in Ontario. If you are to protect public servants, restore confidence, and maintain the integrity of local government, you must pass legislation that works. That means giving integrity commissioners real tools. That means

setting clear rules. That means acting swiftly when harm occurs. And that means building a culture where respect isn't optional; it's expected.

We at OMAA look forward to working closely with the government to ensure Bill 9 becomes the effective, meaningful framework Ontario needs. Let's seize this opportunity to do it right, for staff, for councils, and for the people we all serve.

Thank you for this opportunity.

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The Chair (Hon. Laurie Scott): Thank you all very much for your presentations.

We're now going to start the questioning from the third party. MPP Watt, please.

MPP Tyler Watt: Thank you to the three of you for coming here today. It's a very serious and important bill, and I'm just grateful for the opportunity to be travelling right now and hearing from people like yourselves to make sure that we get this right.

My first question is going to be for Councillor Desrosiers. Thank you for sharing your story and bringing this unique perspective to it.

We've heard a lot today, and we want to make sure that we get this right. The threshold in this is extremely high. I understand why it needs to be high, but I wonder—right now, it's set at the standard of an all-or-nothing. Every single councillor needs to vote for their removal; if even one person is not present, it falls. We've heard recommendations of a two-thirds super majority, but I wonder, is this the right decision at all—putting it into the hands of the peers. What are your thoughts on managing that?

Ms. Kathryn Desrosiers: Thank you so much for that question—through you, Madam Chair.

It's hard because, in my unique situation, I would support the unanimous vote, because although we do have political rivals and alliances on our council, there are still a few independents—so in this situation with me, specifically, it wouldn't be possible. But in saying that and doing my research across Ontario, I know there are situations where it is all against one. I've looked at those integrity commissioner reports. I've seen those faults. I've watched the meetings first-hand, and it's very clear what's going on. I don't think that would help. But in saying that, I believe as the current bill is written, you do require that unanimous vote, and then it also goes to a provincial level for oversight as well. So I think having those mechanisms is definitely a good aspect of this bill and something I do support.

Unfortunately, I can't speak to it more than that, just based on my experience alone, but I do support and understand the provincial recommendation of the unanimous vote. I think that's a great clause.

MPP Tyler Watt: I'm just trying to weigh what would be better. For something this serious, can we fully remove the bias amongst our peers? I could see, if I put myself in that situation—it could be very hard when an ally of yours or a friend of yours is going through something this serious. Would I be able to have a pure, objective lens?

One of the things that was recommended in a previous iteration of this bill, I believe—or I've heard, at least, from others today—is removing the council's ability to do it and giving it to the judicial system, which to me is probably a bit more of an objective way to go about that.

I would like to now go to Ms. Elliott. Thank you for bringing up whistle-blower protections. That's something we haven't heard yet. That's why it's so important that we are out here doing these things. I was curious if you were able to expand on that a little bit and what process you would like to see, or if you've heard from people how they would like to see it, so they know they are safe if they were to come forward.

Ms. Kelly Elliott: Maybe I'll take my AORS hat off for just a second to say that I was an elected official for two terms, prior to my role at AORS, so I'm very familiar with the integrity commissioner program as it stands.

Right now, as I said in my remarks, if you launch a complaint and they retaliate against that, the only route or course of action is just to put in another integrity commissioner complaint, and then we know that the consequences are limited. There's only so much the integrity commissioner can do.

When I filed an integrity commissioner complaint against a colleague—not about a code of conduct issue—the integrity commissioner personally told me, “If they retaliate against you, which I imagine they will, then, really, your only course of action is another one, and I don't recommend that, because it will just make things worse.”

Putting my AORS hat back on—for staff, that isn't reassuring at all. When they feel targeted by an elected official, not only is it not an even playing field—elected official to elected official—there is that power disruption, right? It prevents people from even stepping forward.

When it's not vexatious and it is a legitimate claim, there need to be those protections, if that staff is targeted or anything like that—that there are additional consequences.

MPP Tyler Watt: Thank you.

How much time do I have?

The Chair (Hon. Laurie Scott): One minute.

MPP Tyler Watt: I will come back then. Thank you.

The Chair (Hon. Laurie Scott): Over to the government side: MPP Babikian.

Mr. Aris Babikian: Thank you very much to all three of you for coming and sharing your experience and your analysis with us.

I have two questions, and if all three of you want to respond, you're welcome to.

The penalty for bad actors is removal from office. In your view, what is the appropriate balance between respecting the democratic rights and accountability—the democratic process and right of the individual and accountability?

Mr. Michael Di Lullo: Thank you for the question.

What I would say with respect to accountability is that as senior executives running public sector organizations, we have a duty to keep a safe and respectful workplace.

We are accountable for our employees. When you talk about the rashest of penalties leading up to removal of office, we have championed that possibility because of the fact that it is incumbent upon senior executives to create a safe culture for their staff and for their people. Under the health and safety act, we have a duty to protect our workers and to keep them safe.

The range of penalties that are being suggested and the range with the most severe being the removal of office is one that we think is appropriate, but that is incumbent upon appropriate evidence to support that cause. Right now, it is very limited. When it comes to the democratic right with respect to the penalties at the present time, the penalty does not fit the crime, with respect to what the most severe penalties are currently. We believe that in certain situations that have occurred over the past number of years, with the range of penalties that are being proposed, that it is justified and it does support the idea of creating that safe, inclusive environment that all workers should feel safe to do and feel accustomed to.

Ms. Kelly Elliott: Through the Chair: I would say that as all of us around the table know, being an elected official is a privilege; it is not a right. If you have the privilege of serving your community as an elected official, you are held to a higher standard of your actions, and if you are found, through a proper process that's laid out through the bill, that you have not been holding up that higher standard or that you have been found criminally guilty of certain things, you shouldn't be shielded from consequences because you're an elected official. I think that's important—that being an elected official is not a shield to do whatever you want. I understand the balance of democratic rights and of being elected by your community in order to serve, but there is also the consequence when you don't do that.

Ms. Kathryn Desrosiers: Thank you for that question.

I would echo many of the great comments coming from the panel here.

I would also say that we all have a duty to be accountable, whether you are an elected official or even just an individual. We all have that duty to be accountable for our actions. I also do believe that our democracy is built on one of the foundations of accountability. So I think, personally—we talk about the balance; it goes hand in hand.

As I've already mentioned, I fully do support this bill. It's just a little bit of the tweaking of the language I think needs to be sharpened up—but otherwise, I think it's a great suggestion, so thank you.

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Mr. Aris Babikian: As a follow-up: In your opinion, are there any other options available to consider, to address the serious violation of codes of conduct?

Mr. Michael Di Lullo: To the committee member: As I said, I'd like to emphasize the range. We are not suggesting that when complaints come forward—that the recommendation is to go to the fullest extent. The conversation we are having here is in regard to some of the

situations that have occurred over the years—that are in the most severe situations.

So, to address your question, what I would respond to is that—I think it's important to build upon the range that currently exists, so that it's a stepped process when it comes to evaluating the complaint that comes in and providing a range of penalties—

The Chair (Hon. Laurie Scott): One minute remaining.

Mr. Michael Di Lullo: —that are provided to the integrity commissioner to make the appropriate judgment.

Ms. Kathryn Desrosiers: I would also agree with those recommendations.

Other options available that I see are—one, specifically, is education, and not just a generic education on code of conduct, but education on emotional intelligence. I think that's something that a lot of individuals could benefit from. When I observe a lot of these cases, that's the one aspect that really stands out to me.

The other thing is prioritizing mediation. Again, getting back to that emotional component of this, instead of going after for prosecution—it's really prioritizing and educating about the mediation aspect of it and understanding and having that communication over a prosecution.

The Chair (Hon. Laurie Scott): Now I'll go over to MPP Sattler for her round.

Ms. Peggy Sattler: Thank you to all three of our deputies this afternoon.

I'm going to focus my questions to OMAA and AORS, because both of you made quite similar comments about the toxic work environment that municipal employees experience when they are subject to bullying and harassment from elected officials.

Ms. Elliott, you talked about the fact that municipal employees don't have the same rights to a safe and harassment-free workplace as every other worker in the province of Ontario should and, under the law, is entitled to.

I want to ask whether you feel that the training provisions of Bill 9 are alone sufficient to protect municipal employees from the high level of bullying and harassment that they experience—and also the whole issue about their removal from office. There have been a lot of concerns that have been expressed publicly about the fact that the process that's set out here is unlikely to ever result in the removal of an elected official who is behaving in a very egregious fashion and subjecting staff to completely unacceptable behaviour. So the question is, as is currently written, will the bill offer the protection that municipal staff need?

I'm going to start with Mr. Di Lullo from the OMAA.

Mr. Michael Di Lullo: Through the Chair: Thank you for your commentary.

In the review of the proposed legislation, first off, to talk first on the training aspect—and I think that is very critical and crucial as part of not just an orientation process that general elected officials go through, but having an ongoing education process with respect to this type of legislation, and going through the respectful policies that municipalities do have in place. I think it's incumbent

upon the senior officials to work with their elected officials to make sure that they're also made aware, because they are working in the work environment that municipal staff are in.

So, first off, training, I think, is very key and critical as part of this legislation that's being proposed.

In terms of the comment with respect to removal of office, just to go back on that—the comment of that removal-of-office conversation that we're having is at the most egregious types of situations. So I think I've already pinned that down—that that is at the most detrimental situation.

Going back to your question about protection of staff and making sure that the staff need more protection—this legislation will assist with that process and give more accountability on the part of elected officials, to be more aware of how they behave in certain situations and, we would hope, through that process, create more of an inclusive environment and more of a supportive, safe environment for staff. Understanding that there are repercussions up to removal of office, I think, just puts elected officials more in line—and being more aware of the consequences that could occur should they go and veer off in terms of their behaviour.

So I would be very supportive of the legislation that's being put forward, for those reasons. I do think that this is a good step in creating that safe workplace environment, by ensuring another added protection to staff.

I'll just close with this: It's not about being vindictive in any matter; it's just ensuring that there are proper protections in place when certain situations do arise.

Ms. Peggy Sattler: Chair, before I go to Ms. Elliott, I just want to follow up on that.

One of your recommendations in your presentation was that it shouldn't be a unanimous vote of council for removal of office—it should be a legal decision by a judge and, at the very least, it should be a two-thirds vote of council. If the bill is not changed and it remains a unanimous vote of council, do you feel that it will provide the protection that municipal employees need and deserve?

Mr. Michael Di Lullo: Through the Chair: I would go back to MPP Watt, in terms of depoliticizing—I think I made those comments in my report to you.

We feel that it's more effective. Leaving the bill as is, with it unanimous—we believe that taking that piece out of it and going through judicial review is probably more effective, in the sense that you're not having members having to vote on those types of situations and putting them in those situations. I've seen that happen first-hand. Either two thirds or judicial review is likely the more proper and more equitable way of managing the most severe matters.

So we're not saying every smaller-in-nature complaint that comes forward needs to go to that extent of the law, but when it comes to some of the other situations that have been experienced across the province, with the serious cases of harassment, we, as an association, do believe that going through a judicial process is more objective and

more fair—at the end of the day, political decisions are taken out of the consequences that do happen.

The Chair (Hon. Laurie Scott): You have 45 seconds left.

Ms. Peggy Sattler: Ms. Elliott, could you please address this?

Ms. Kelly Elliott: Through you, Chair: I would just echo a lot of Michael's comments here. Other workers across the province have the Ontario Health and Safety Act, have the Education Act. Other public sectors, such as the police and fire, have legislation that they can turn to; municipal employees don't. I would agree with a lot of the comments that he said. We at AORS do agree with a judicial review, or, at the very least, an integrity commissioner panel, versus going to councils—because I don't feel that it gives municipal staff the confidence in the panel when it comes to a politicized area coming back to council.

The Chair (Hon. Laurie Scott): MPP Watt.

MPP Tyler Watt: I'm a registered nurse—prior to getting into politics. I can see a lot of what we're striving to do with this bill is something that is implemented, to various degrees of success, already in the nursing world. We have the College of Nurses of Ontario that is there to protect the public, protect the patients. And then we have the unions of our nursing organizations, that are there to help nurses navigate, should something come up with the college.

We have 200-plus professional standards of practice, a code of ethics, things like that, that we are to follow, but they're crystal clear—or at least, for the most part, pretty crystal clear.

I feel like we're lacking a lot of that, so far, in this bill, and I can see that that has come up in a lot of what you've been advocating for here. So we agree with the spirit and notion of this, but it needs to be crystal clear by the time it's implemented. I worry that we're going to implement the bill before we implement all that stuff—making sure that we have the integrity commissioners being trained properly, and that it is accessible and equitable across the whole province.

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One of the things that Councillor Desrosiers brought up in here is that worry about the integrity commissioners having greater influence in the removal process and how we ensure that that integrity commissioner who's in that municipality has been given the proper resources, education and training that's ongoing throughout time.

Councillor Desrosiers, I just want to know if you can expand on that and if you have any thoughts on what you would like to see come from the local integrity commissioner.

Ms. Kathryn Desrosiers: Thank you so much for that question. It's a great question.

Through you, Madam Chair: Currently, I don't think there are really any accountability measures for the integrity commissioners. I understand the province has the Ombudsman. My experience with them—and many others' experiences—is that they fall short; I'm sorry, but they do. When you experience biased behaviour from someone

who's in a position of power like that, especially as the person who's at the other end, you feel helpless. So I think having some sort of accountability measures for integrity commissioners is critical. I don't know if that's part of this discussion here, but I think having records of what decisions are made and who it's impacting would be very vital in keeping the accountability component for integrity commissioners themselves—and ensuring that they have the proper training. I don't know if that's currently an aspect of our integrity commissioners here in Ontario—but I think it would be an excellent place to look at, for sure.

MPP Tyler Watt: Thank you.

I have one final question for Mr. Di Lullo. You've talked about time and the education needed for proper implementation. I'm just wondering if you have any thoughts on resources and funding when it comes to this, so we can make sure that this is properly implemented, especially for smaller communities and municipalities.

Mr. Michael Di Lullo: Through the Chair to MPP Watt: Thanks for that question. I guess my response to that would be that it's municipalities that have drafted their own codes of conduct, so when it comes to uniform consideration of how the code of conduct is interpreted through integrity commissioners, they are interpreting what the municipality has enacted—the council policy that's enacted.

To respond to your question—generally speaking, you'll have a stepped, measured process in managing complaints that may include mediation as a first step. Secondly, it would include timing and making sure that when a matter comes forward, it's dealt with on a proper timeline so it can be reported out accordingly and it doesn't fester and it doesn't drag on. I think that's very critical and key, but that needs to be included as part of the municipal consideration in the policy itself.

When it comes to costs, that has always been a concern. I've worked both in larger city environments and smaller municipal environments. At the end of the day, cost is a concern, but more importantly, you want to have the right resources in place to make the proper evaluation.

So is there a consistent education with respect to when we have our integrity commissioners? There are only a few integrity commissioners that all 444 municipalities rely upon, and so it is a small group of educated professionals who have interpreted this legislation, who are aware of this legislation and know how to deal with a case. That is a trained art in itself. Unfortunately, there is a cost to have those professionals take this on. That's a consideration when it comes to municipal budgeting, so that's just part of doing business at the end of the day.

That's the best answer I can give you.

The Chair (Hon. Laurie Scott): You have 60 seconds left.

MPP Tyler Watt: I'm finished.

The Chair (Hon. Laurie Scott): Government side: MPP Saunderson.

Mr. Brian Saunderson: I want to thank each of our delegation groups today for coming and sharing your

information. It's interesting; we've got quite a diversity on the panel, with an elected official and then two staff representatives.

I come from the municipal sector. I was mayor of Collingwood when we went through a judicial inquiry, and it was not a happy process.

I want to start off with a couple of basic questions.

What I see as a major advantage to this legislation is the standardization of the code of conduct—and as you indicated, they are mostly municipally driven. If every municipality in Ontario had them—that's 444 different codes of conduct, which makes each a fairly laborious process for each integrity commissioner to interpret and apply. Would you agree that the standardization is a good step forward?

Mr. Michael Di Lullo: Through the Chair to MPP Saunderson: I would agree with that comment—that standardization does assist and it does go hand in hand with cost savings, in the sense that when you have a uniform, consistent policy to work off of, it helps with interpretation and ensuring that you're able to assess what the matter is and then render a proper decision. So, yes, I would say that is a fair assessment.

The other point to that is that not all municipalities have all the resources to develop these policies, so standardization would then assist some of the smaller municipalities in creating these policies and making them more effective.

Mr. Brian Saunderson: Is there anyone else who would like to add?

Ms. Kelly Elliott: Through you, Chair: I'll just save your time. Absolutely, I agree.

Ms. Kathryn Desrosiers: Absolutely.

Mr. Brian Saunderson: Good. Thank you.

I'm glad you touched on costs. In my experience, even though we used the integrity commissioner to design our code of conduct, every complaint had to be built from the ground up, because they were interpreting it. That was an issue for us on cost as well.

I think you indicated that your opinion—that having a standardized code of conduct should eventually drive costs down, as these things get dealt with and applied uniformly across the province. Do you all agree with that?

Ms. Kathryn Desrosiers: I would.

Mr. Brian Saunderson: Training is a really critical issue, and it was raised by MPP Watt.

A critical part of this act will actually give the Integrity Commissioner of Ontario the ability to train, educate and roster integrity commissioners. The municipality can actually go to the provincial Integrity Commissioner and ask about the education, training and history of the individual if they're considering hiring them. Do you think that's a benefit?

Mr. Michael Di Lullo: Through the Chair to the MPP: Absolutely. As I mentioned earlier, there's only a limited number of qualified professionals who do this service to municipal governments. Having training provided and standardized will also help when cases come forward for evaluation.

Mr. Brian Saunderson: I'll give Councillor Desrosiers an opportunity here, because I know you had a different experience.

Ms. Kathryn Desrosiers: Through you, Madam Chair: I actually absolutely agree, because I think it also adds to that accountability component that I was speaking about. I think it's a great part of this bill that should be kept.

Mr. Brian Saunderson: Then, talking as well on training for council, because a big part of this process—certainly, when I was in the mayor's chair and we were going through this—is helping to proactively train councillors so they understand their role. They understand that no individual councillor can instruct staff, that you have to go through a direction of council or the CAO. There are barriers. There are ways to go—I think having that iterative process, making training available, and informing councillors that they can go and approach the integrity commissioner if they have a concern or they want to understand something better before they act. Do you think that's a benefit?

Mr. Michael Di Lullo: Through the Chair: Obviously, yes, but “training available” versus “training mandatory”—I think that's something that, as municipal leaders, we need to be cognizant of. When we have these types of policies that are applicable to elected officials, just like how it's my responsibility to ensure that senior members of my team and my staff are following through on their policies, I think it's incumbent upon elected officials to ensure that they have the proper training—but they take it. It's mandatory that they take it—not available as an option.

Mr. Brian Saunderson: Point well taken. In my community, we had council-wide training, but we also had budgets for each individual councillor to go to conferences, to train themselves or take individual programs—I know many of my councillors did. I agree with you that “mandatory” is an important part of that.

Are there any other comments on that?

Ms. Kelly Elliott: Through you, Chair: I absolutely agree with that in terms of—I believe that a lot of council members come onto council believing that they have direction of staff. As was pointed out, the direction comes through direction of council or through the CAO, not directly with staff. I believe a lot of the harassment and bullying felt by staff is elected officials believing that they can go straight to staff—representing the public works, roads and parks and recreation, where a lot of the complaints stem from, is a big part of it. Education is key, not just for the integrity commissioners, which I agree with, but also for councillors themselves.

1350

Mr. Brian Saunderson: Councillor?

Ms. Kathryn Desrosiers: My question would only be—through you, Madam Chair—who would be delivering that education? I think, in certain situations, it's probably better not to have someone like a lawyer be giving that education. There would be better individuals suited to that. That would be my only question. I agree 100%, it should be mandatory—

The Chair (Hon. Laurie Scott): You have 40 seconds.

Ms. Kathryn Desrosiers: —but who is doing it is a big question I have.

Mr. Brian Saunderson: I'll try not to be offended by that. I'm a lawyer. But do you know what? I understand that. I know AMO had a tag team that used to go around and do a very good job.

The last thing, and I know we don't have a lot of time left—

The Chair (Hon. Laurie Scott): You have 30 seconds.

Mr. Brian Saunderson: Well, then, I guess I'll just do a monologue. I'm sorry.

I understand the intent in trying to find that happy medium about how we adjudicate these scenarios. The municipal codes of conduct were designed to be recommendations that come back to council, so that the discipline is handed out in public by the council, as a jury of your peers. So we're working our way through this process. And I can tell you, having watched proceedings under the Municipal Conflict of Interest Act, I've never seen a councillor removed. That has to be brought by a private citizen, at great expense, and it takes a really long time. So trying to find that sweet spot in how we can adjudicate these things in a fair way to get an outcome that's responsive to the needs of the employees, of the public, and yet respects the democratic process is difficult.

The Chair (Hon. Laurie Scott): MPP Sattler, for the official opposition.

Ms. Peggy Sattler: Again, I want to go to AORS and OMAA and talk a little bit about penalties, because both of you, in your presentations, addressed penalties.

Ms. Elliott, you talked about the need to strengthen penalties, expand the range of penalty options.

Mr. Di Lullo, you talked about the need for a graduated approach and a clear and consistent range of penalties.

And we heard from the earlier presentation this morning, from AMCTO, about the need for progressive penalties.

Currently, there are very few tools that municipalities have to impose penalties on elected officials who have violated codes of conduct.

I'm interested in hearing your thoughts on what would be an appropriate range of penalty options and how you would like to see a graduated approach or progressive approach to penalties be used in these cases.

I'll start with Ms. Elliott.

Ms. Kelly Elliott: Through you, Chair, to MPP Sattler: I would agree with a lot of the comments that Mr. Di Lullo made in terms of—that removal of office is for the most egregious; it's not an automatic way that we go. There should be expanded options available, whether those options are removal from committees, removal from a certain amount of meetings, or things like that, in terms of where their attendance is. I think our steps—as of right now, as you all are aware, it's a simple slap on the wrist or removal of pay. That's all that's available right now. So options like that, whether it's at a committee level or at the council level, and not being able to attend meetings or even—we've seen it where a member of council was

barred from entering the municipal building or speaking with staff, things like that.

Ms. Peggy Sattler: Do you feel that the legislation should be amended to specify some of this range of options, or would you like to see that through regulation? How would you like to see that develop?

Ms. Kelly Elliott: Through you, Chair: In terms of process, I believe that it should be clearly made out in the legislation and that it should be clear to integrity commissioners what their options are and that are available to them; otherwise, we lose that consistency and the standardization across the province.

Ms. Peggy Sattler: Could I hear from Mr. Di Lullo on the same issue?

Mr. Michael Di Lullo: Through the Chair: I echo a lot of the comments of my colleague, in the sense that there's a lot of focus on the most severe of penalties. Currently, I think it needs to be a graduated, stepped approach; it needs to be measured. When that's standardized in a measured format, I think that's where it provides the most effective means of evaluating what the punishment was or what the allegation was.

The slap-on the-wrist approach that's current in the legislation is not effective whatsoever when it comes to the most severe cases. So just turning that backwards—currently, when it comes to some of the harassment cases that have come forward over the years, losing your stipend or your monetary pay is not justifiable. I think that amending the proposed legislation that has the range will be certainly more effective for integrity commissioners to evaluate what the matter was and then to put a penalty to it—because at present time, it's just not effective, and I think that's why we're having this conversation today.

So, yes, I think it's a good thing that it's being considered.

Ms. Peggy Sattler: Through the Chair: Is that an amendment that you will be bringing forward in the written presentation to the committee?

Mr. Michael Di Lullo: Through the Chair: Most certainly. We're more than happy to propose that and bring that amendment forward.

Ms. Peggy Sattler: Thank you.

The Chair (Hon. Laurie Scott): You've got two minutes left.

Ms. Peggy Sattler: Back to Ms. Elliott: One of your recommendations was around duty to report. Can you elaborate a bit on where that comes from, why it's important, and what you have seen, both in your experience as a municipal councillor and working for a municipal body like AORS? Why is duty to report something that you believe should be included in this bill?

Ms. Kelly Elliott: As I said, safe workplaces are everyone's responsibility. If an elected official is bullying or harassing or discriminating against a municipal staff member, and the municipal staff member personally does not want to bring it forward for whatever reason, there should be some sort of duty to report, whether through the CAO or through an integrity commissioner complaint, just to ensure that it's being addressed.

As I said before, a lot of municipal staff don't want to bring things forward in fear of retaliation or losing their job or things like that, so a lot of abusive or harassing behaviour isn't even talked about, isn't brought forward and things like that. So that duty to report would ensure things are being brought forward and are being addressed.

Ms. Peggy Sattler: I would imagine that has to be accompanied by the whistle-blower protection, to ensure that there's not the reprisal or retaliation that could be associated with reporting.

Ms. Kelly Elliott: Through you, Chair: Absolutely.

The Chair (Hon. Laurie Scott): You've got 10 seconds.

Ms. Peggy Sattler: Thank you.

The Chair (Hon. Laurie Scott): Thank you very much to all the presenters. That's the end of the questions for this session, so you can take your time and leave the table. Thank you again for coming in today.

MS. ALYSSON STOREY

The Chair (Hon. Laurie Scott): I'll ask the last presenter, Alysson Storey, to come forward.

When you get settled, state your name, and we'll just do one round of questioning—so six minutes each, if that's okay. Thank you very much.

Ms. Alysson Storey: It's great to see a fellow councillor around the table for my first time speaking at a hearing for the province. It's so great to see MPP Pinsonneault here—a familiar face.

Madam Chair, members of the committee, thank you for the opportunity to speak to you today. My name is Alysson Storey. I am a resident of Chatham, Ontario, which is about an hour southwest of where we sit today. I am a first-term councillor for the municipality of Chatham-Kent. I'm here today to, ideally, share a useful and relevant perspective, as someone who is currently a municipal elected official and also was a member of municipal staff earlier in my career. All of that said, I am not here officially representing my municipality. I do speak today as an individual, and my views are my own.

I also speak today as part of a broad, non-partisan coalition called the Women of Ontario Say No. Unfortunately, women are disproportionately affected by violence in the workplace—both government workplaces and otherwise. While this advocacy was started by Emily McIntosh, the founder of the Women of Ontario Say No, because of serious harassment experienced by several women she knew, by a municipal elected official, this issue affects all Ontarians, regardless of gender.

1400

I'm here today to speak in overall support of Bill 9 amendments to the Municipal Accountability Act. We do have several requests for clarification and further definition of a few components of the act that I will get into in a moment, that we believe will ensure a fair, transparent and standardized process across the province, that balances the need for elected officials to be held accountable for their behaviour with the need for in-

dependent oversight of these same processes and respect for the democratic process.

Finally, I would also like to note that the municipality of Chatham-Kent passed two resolutions this term to support recommendations from the Association of Municipalities of Ontario regarding this legislation—one of over 150 municipalities to do so, at last count.

Threats, sexual assault, slander, defamation, reprisals, gender-based violence and harassment—these are all high-level examples of egregious behaviours by municipal elected officials in Ontario, examples that I experienced myself, as well as examples that other municipal councillors or municipal staff across Ontario have shared with me. I could be more specific, identifying individuals, details or communities, perhaps to be more shocking or memorable, to reinforce the need for this legislation. But even today, I cannot comfortably share more details without putting those individuals at further risk or harm.

When workplaces and workers are safe—whether that workplace is a factory shop floor, a classroom, or council chambers—better decisions get made. While mayors, deputy mayors, reeves, wardens and councillors come to our jobs in a different way than, let's say, an engineer or an educator, whether you're from Agincourt or Ottawa, Brock or Brampton, James Bay or Simcoe-Grey, when it comes to elected officials and staff and our workplaces, healthy workplaces create healthy democracies, and that benefits us all as citizens of Ontario.

Could there be anything more important in today's day and age than a healthy democracy and demonstrating this government's commitment to ensure a healthy democratic process through the accountability included in this legislation?

While I express my support for Bill 9 and the proposed amendments to the Municipal Accountability Act, I would also like to commend the efforts, leading up to today, of Ministers Clark, Calandra and Flack, as well as MPPs Jeff Burch and Stephen Blais, the Association of Municipalities of Ontario, the Ontario's Big City Mayors' caucus, AMCTO, OMAA, AORS—all the great acronyms—who have advocated for strengthening accountability mechanisms for municipally elected officials and shared important feedback.

Sometimes it's also useful to say what this is not—what we're not looking for in regard to strengthening this bill.

Our recommendations are not an attempt to stifle debate, discussion or disagreement—nor is it a thinly veiled attempt at censorship or silencing. In fact, if our recommendations are effectively applied, this would ensure that elected officials and municipal staff all feel safe using their voices, engaging in vigorous debate, making better decisions, and holding us all accountable.

This is not an end run around the democratic process, or to disrespect or disenfranchise voters. I have spoken to many voters, both in my community and beyond, who expect their elected officials to behave professionally and respectfully towards each other, towards staff and towards the public.

This is not a scheme by politicians of one political stripe or another to get rid of a council colleague they don't like or they disagree with. In fact, it should protect all of us from any hint of vexatious or frivolous complaints, by providing a standardized process, for reporting, for councils, for integrity commissioners, for code of conduct standards, and, as a last resort, for escalating penalties that are clearly spelled out and independently applied.

This is not about councils avoiding accountability through vague or undefined codes of conduct; it's ensuring that there is consistency across the province and politics are kept out of critical decisions—knowing that all citizens, staff and politicians are all held to the same standard, no matter where we live in Ontario.

Thank you for bringing this forward, and thank you for holding these hearings to hear this feedback and for the opportunity to request some specific changes.

The Chair (Hon. Laurie Scott): You have 60 seconds, but keep going.

Ms. Alysson Storey: Thank you.

The following critical reforms we are recommending:

- establish a provincial integrity commissioner board or panel to promote impartiality and consistent standards for investigations, penalties, dismissals and frivolous complaints;

- ensure that if removal of an elected official is recommended by an integrity commissioner, the matter proceeds directly either to the provincial integrity commissioner board or a judicial review, bypassing the potential conflict of interest involved when councils decide on recommendations, and if legislation must move forward with the current clause—that an integrity commissioner decision returns to council for a decision with a two-thirds majority versus a unanimous vote;

- expand and update anti-discrimination policies;
- implement a trauma-informed approach;
- provide robust whistle-blower protections;
- establish a duty to report; and

- prohibit a removed member from running for office during the term of removal and the subsequent term.

These reforms are essential for protecting the safety and well-being of municipal staff, elected officials, and the public we serve.

If implemented with care, the legislation could give us all the confidence that elected officials will be held accountable, and do so in a fair, transparent way that respects the democratic process through consistent, clear standards that apply across the province.

In closing, we encourage your committee and the Ministry of Municipal Affairs and Housing to take action to support these changes and ensure a more just, accountable and consistent approach to municipal governance in Ontario.

The Chair (Hon. Laurie Scott): Thank you. I'm sure you can do a written submission if we didn't get something in.

We're going to start with the government side for questions—and we're doing one round each, just to remind everybody. Go ahead, MPP Pinsonneault.

Mr. Steve Pinsonneault: I did sit with Alysson on council in Chatham-Kent. Alysson has always been strong in women's advocacy—and in pretty much everything that's equality.

There is no room for harassment in our workplaces here. You're very correct on that. There is a real need for this legislation, and workplaces do need to be protected. I think that was what started all this process on Bill 9. Elected officials do need to be held accountable.

As you know, we've dealt with integrity commissioners at the Chatham-Kent level—and I do know with that one there, it was a majority vote, but there were people who were unpopular and people who were popular.

The only problem with going to a two-thirds majority, in my opinion, is that it can be used as a tool to remove somebody from council. One thing about having 100% on board is that does show that this is a real problem—and the real problem can be addressed by doing that. I understand that it may be tough to get 100% consensus; however, if it gets to that, that is a real problem.

Consistency does need to be key right across the entire province.

Personal question: I know in Chatham-Kent, from talking to the other members, there are only five who are running again, and a lot of them—the issues that this bill is dealing with. A lot of them are stating that's why they don't want to run again. Do you feel that by bringing this bill in, it's going to make it more positive for candidates to run?

Ms. Alysson Storey: Madam Chair, through you to MPP Pinsonneault: Absolutely. I think ensuring, when you start a council term, that there are clear frameworks to encourage good behaviour and you know what the guardrails are—they're clearly laid out, they're clearly defined, you're clearly educated on them by staff and an integrity commissioner. When you go into a term knowing that there are safeguards in place and consistent, enforceable legislation that holds us accountable, you do feel—speaking personally, I would feel more comfortable running again, knowing that there is legislation that can protect me or protect my colleagues on municipal staff if there are examples of egregious behaviours.

Knowing that right now, there is fairly vague and, let's say, inconsistently applied legislation across the province—it's tricky, because you don't know what's going to happen if there are examples of egregious behaviour on your council, going into the next term.

I do agree with you, MPP Pinsonneault, that if there was clear, defined, consistent legislation that we all knew, going into the next term, would be in place—I do think that would make more people comfortable running and feel protected in doing so.

1410

Mr. Steve Pinsonneault: That's good. I think that's going to resonate right across the entire province.

At the end of the day, people in the workplace have a right to feel safe—not only for their job, but for their well-being.

I believe that this bill is going in the right direction. Obviously, there have been enough issues in the past that have caused our government to bring a bill like this forward. There are going to be some bugs to work out, but generally, I think we're in the right direction.

I appreciate hearing you say that you think we're going to get some more good-quality candidates due to the fact that we're going to put proper legislation in place.

The Chair (Hon. Laurie Scott): MPP Saunderson.

Mr. Brian Saunderson: How much time do I have?

The Chair (Hon. Laurie Scott): Two minutes and 20 seconds.

Mr. Brian Saunderson: I want to thank you for taking the time to come down and share your experience with us.

Emily used to be a constituent of mine when she worked at Contact in Alliston, and I have had a number of conversations with her.

We have heard quite a bit today about the unanimity versus a super majority of some form. The concern is that we don't want to have vexatious or politicized complaints that are going to get there.

Do you think, as a sitting councillor, if there are standardized requirements for an integrity commissioner, locally, and that integrity commissioner reports to the provincial Integrity Commissioner, who would either support or not support the recommendation before it comes back to council—do you think, with those two checks and balances, that when a complaint comes back to council, it would be politicized and vexatious to begin with? Would it make it through those two thresholds, before it gets back to council, if it was vexatious?

Ms. Alysson Storey: Through you, Madam Chair: I do believe it could be politicized. I don't necessarily believe it would be vexatious. But I do think that as part of this process, removing the political element, if it has gotten to that point of severity—keeping it with a provincial integrity board or panel is key, because that takes the local politicization out of it and protects both the complainants and the applicant. That removes the risk of local considerations, allies, what have you, especially on smaller councils.

On the flip side, on a larger council—when you have 18, 20, 25 members—unanimity would be, I would think, very challenging to achieve. You've actually used up a substantial number of taxpayer resources to go through that process, only to get to the final point, where you may have one councillor, for whatever reason, vote against, and that whole process—I wouldn't say it has been wasted, but it has been a very challenging use of taxpayer resources to get to that point.

In terms of the Women of Ontario Say No, we would prefer to not have it go back to council—if it reaches that final step, in the case of egregious behaviour. If the legislation does go ahead—with it going back to council—we

would still prefer the option of the two-thirds super majority, versus the unanimity.

I would share the perspective of Michael and Kelly, who spoke in the last round of discussions as well.

Thank you for the question.

The Chair (Hon. Laurie Scott): MPP Sattler.

Ms. Peggy Sattler: As a woman serving in elected office, I want to say thank you to you and all of the people who participated in the Women of Ontario Say No, because I understand that you have been very persistent in raising this issue with the government and insisting that there be some improvements to municipal accountability, to hold elected officials accountable when their behaviour is causing harm to other elected members or to municipal staff. So thank you for getting us to this point, when we are holding committee hearings on Bill 9.

I also appreciate some of your comments that really reflect what we have heard already today, especially around the process that is outlined in this bill for removal of a councillor. And you just addressed this in your previous response—that this is a very high threshold. A lot of commentators have expressed concern that the threshold will never be met. This bill that is supposed to result in the removal of the most egregious offenders may actually result in them escaping any consequences whatsoever.

This morning, when the minister was here, I asked specifically about that—the fact that this bill says that if that unanimous vote of council fails, then there are no penalties that can be applied to the person who was subject to the two integrity commissioner reviews.

I'm interested in your thoughts on that piece of the bill. If the government doesn't incorporate some of the recommendations that we've heard about—a judicial process or, at a minimum, a two-thirds process. If they want to go ahead with a unanimous vote—do you think that there should at least be some ability for consequences to be imposed if an elected official's behaviour has been such that it has triggered two integrity commissioner reviews but has not been able to meet that threshold of removal or a unanimous vote to remove from office?

Ms. Alysson Storey: Thank you for the question.

Through you, Madam Chair: I do believe there are two components to that. I do worry that if the 100% unanimous vote goes through, that could be a serious risk to the success of this entire bill. I think there is a serious risk to that, if that continues in this legislation, for the very reasons that you described. There has been a huge amount of time and effort invested into this process by all—by my staff and by MPPs and ministers, in this legislation. I would hate to see that be less useful after all of this well-intentioned work has gone into it.

That being said, if that is where it does end up, there have been several recommendations I've heard today and throughout this process about an escalating, progressive set of penalties. I do believe there could be an opportunity to include those. I do believe we all should be held accountable for our behaviour. In the most egregious examples—that is what we're really talking about. When

it gets back to a council and 100% unanimity—that should be in only extremely serious cases. I look at this, in some ways, as using a sledgehammer to hit a fly. We want to have escalating, progressive remedies here, because there are escalating and different levels of behaviours, and not all of them require the most severe penalty, which is removal.

I think all of us, as elected officials, look extremely seriously upon ever considering removal of an elected official. That is an extremely serious situation. None of us take that lightly, at any level of government. But we also need to be accountable.

If we have those escalating, progressive penalties in place, along with a unanimous expectation, then I think that would still be a reasonable outcome—but our preference would be to keep it with an integrity commissioner panel, keep the conflict and risk of politicization out of it, and avoid that altogether.

The Chair (Hon. Laurie Scott): One minute and 20 seconds.

Ms. Peggy Sattler: Thank you very much.

Your presentation repeated a couple of things that we heard from the previous panel around duty to report and whistle-blower protection. I wonder if you could elaborate a little bit more on why you feel that should be incorporated into this bill.

Ms. Alysson Storey: Thank you for the question.

Through you, Madam Chair: I believe this is an extremely important component. When you are the victim or target of harassment or abuse, having to go through the process of reporting is often retraumatizing in any context. Expecting the individual who is being targeted or harassed to go through all of that on their own, without support, I don't think is an appropriate approach. It's not a trauma-centred approach, whether it's in a court of law, or in a council or legislative perspective.

I do believe when you have the expectation that all of us together are responsible for our health and safety, we are all looking out for each other, we all want each other to be safe and protected at our workplace—which, in our case, is at council chambers or city hall—we all have that duty to report. That ensures that it's not on one person's shoulders, who's already dealing with, potentially, a very serious and difficult situation—for them to carry this burden alone.

1420

The second piece, about the whistle-blowing protection—I believe it's critical to provide robust whistle-blower protections for individuals who come forward with complaints, for the same reasons. There are sometimes a variety of reasons why you may want to remain anonymous, especially in smaller communities, where your anonymity might help keep you safe and protected.

Those are all reasons why I think we need more protections for those who report, and to spread that responsibility amongst all sitting members.

The Chair (Hon. Laurie Scott): MPP Watt, please.

MPP Tyler Watt: Thank you for being here today and sharing your experience, and all the advocacy that you do. Your experience is being in the political world as a staffer first, I believe, and now an elected official.

We've talked a lot today about the 100% threshold for removal versus two thirds versus judicial. My question is simple: Based on your experience, do you think that every elected official would be unbiased, 100% objective, and not be tempted to use it as a political move against either their political rivals or allies?

Ms. Alysson Storey: Thanks for the question.

Through you, Madam Chair: I do think that all of us operate in our council seats in good faith. I don't think we come to any decision deliberately thinking, "This is a person I want to target or I want to support," in the question of an integrity complaint or accountability decisions.

That being said, we're all human beings. We all have emotions and feelings and perspectives and our own implicit biases that aren't necessarily even conscious. When you're in a discussion about an integrity complaint in a council chamber, amongst your peers, amongst your friends and neighbours, especially in smaller communities, I can see it would be very difficult, even if you believe wholeheartedly in one perspective or another, to vote for or against someone you may know, you may like, you may not know well, or you may dislike. To have that pressure on individual councillors, I think, really risks the good-faith nature and the intent of this legislation. I think taking it out of individual councillors' hands protects them, as well as the person who is subject to the complaint. It protects everyone around the table by depoliticizing what can be a very political process. I think that's why it's really critical to keep that in the hands of a provincial integrity board.

MPP Tyler Watt: That was really my only question, but I did want to also ask—earlier, you had gone through a couple of recommendations, and I just wanted to give you some time if you want to go through any of the other ones, while we have it.

Ms. Alysson Storey: I ran out of a bit of time at the end, so I thank you for your flexibility on that.

I do believe that I expanded properly on the whistle-blowing complaints and the duty to report.

I do agree that we should consider prohibiting a removed member from running for office during the term of removal and the subsequent term.

I do believe we should expand and update the legislation to mandate adherence to anti-discrimination policies in addition to workplace violence and harassment policies—and last but not least, as part of the provincial integrity commissioner panel. That just helps ensure impartiality and consistent standards for investigations, for penalties, for dismissals and frivolous complaints, as well as ensure a minimum level of training and credentials for integrity commissioners. Again, that consistency across Ontario helps ensure that all citizens are being treated equally; all councillors and elected officials are being treated equally; and that when we go into a term, as

Mr. Pinsonneault said, we have that guarantee and that confidence that the process is fair and equitable to all of us as we enter a new council term, and our public and our voters have faith in us to behave in that way and that we have those protections in place as well.

Thank you for that opportunity.

The Chair (Hon. Laurie Scott): There's two minutes and 40 seconds left, if there's anything else. Okay.

Thank you very much for presenting here today.

If you would like to submit any written materials to the committee in addition to your presentation, the deadline for written submissions is 2 p.m. on Monday, August 18, 2025—for anybody else who's in the audience.

There being no further business, this committee is adjourned until 10 a.m. on Friday, July 4, 2025, in Niagara Falls, Ontario.

Thank you, everybody.

The committee adjourned at 1425.

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Ms. Peggy Sattler (London West / London-Ouest ND)

Clerk / Greffière

Ms. Tanzima Khan

Staff / Personnel

Ms. Sude Bahar Beltan, research officer,
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