



Agenda
The Township of Cavan Monaghan
Accessibility Advisory Committee Meeting

Wednesday, July 23, 2025

1:00 p.m.

Council Chambers - Hybrid Room

Members in attendance are asked to please turn off all electronic devices during the Meeting. Any special needs requirements pertaining to accessibility may be directed to the Clerk's Office prior to the meeting. Please be reminded meeting are livestreamed and recorded. Members may be participating remotely.

Pages

1. Call to Order

2. Land Acknowledgement

We respectfully acknowledge that the Township of Cavan Monaghan is located on the Treaty 20 Michi Saagiig territory, in the traditional territory of the Michi Saagiig Anishnaabeg. We offer our gratitude to First Nations for their care for and teachings about these lands. May we honour these teachings.

3. Approval of the Agenda

4. Disclosure of Pecuniary Interest and the General Nature Thereof

5. Committee Orientation

**5.1 John George Pappas, Aird Berlis - Township of Cavan Monaghan
Accessibility Advisory Committee Orientation and Training**

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6. Election of Officers

6.1 Appointment of Chair

6.2 Appointment of Vice-Chair

7. Next meeting date

8. Adjournment

Cavan Monaghan Accessibility Advisory Committee Terms of Reference

Purpose and Enabling Legislation

The Accessibility Advisory Committee (the “AAC”) is established in accordance with the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005* (the “AODA”) and to provide guidance that will increase the capacity of persons with disabilities to have access to equal opportunities within municipalities.

The AODA requires that every municipality having a population of not less than 10,000 shall establish an accessibility advisory committee to advise council about the preparation, implementation and effectiveness of its accessibility plan.

The Accessibility Advisory Committee (AAC) is established by Council to advise Council about the requirements and implementation of Ontario’s accessibility standards. While all levels of government are working to improve accessibility, municipal governments have a special role to play. Municipalities serve communities and manage many important programs and services that affect the lives of Ontarians, such as libraries, social housing and emergency services, and parks and roads.

Mandate and Governance

The AAC is a volunteer advisory/working committee which reports to the Township of Cavan Monaghan Council and in accordance with these Terms of Reference. Decisions of the AAC are made collectively by resolution, and no one member of the AAC has the authority to speak for or bind the AAC. Members are subject to a Confidentiality Agreement with the Township and all other applicable policies.

In accordance with the AODA, the mandate of the AAC is to provide advice to Council on the following matters:

1. The requirements and implementation of accessibility standards, the preparation of accessibility reports and accessibility plans, and such other matters for which Council may seek advice from the AAC;
2. The prevention and elimination of barriers faced by persons with disabilities in order to achieve accessibility with respect to Township by-laws, policies, goods, services and programs, employment, and facilities;
3. The identification, prevention, and removal of barriers to the participation of persons with disabilities in civic life;

4. The review in a timely manner of site plan applications submitted in accordance with section 41 of the *Planning Act* selected by the AAC; and
5. All other functions that are specified in the regulations made under the AODA.

In accordance with the AODA, it is the duty of Council to:

1. Seek advice from the AAC on the accessibility for persons with disabilities to a building, structure or premises, or part of a building, structure or premises that the Township purchases, constructs or significantly renovates, or for which the Township enters into a new lease;
2. Supply the AAC copies of site plans and drawings which the AAC, by resolution, selects to review; and
3. Consult with the AAC where Council deems appropriate or where required by the regulations made under the AODA.

The AAC is an advisory committee of Council and does not direct Township staff or make binding decisions on behalf of the Township. Rather, the AAC contributes to ensuring accessibility by making recommendations to Council. Before such recommendations can be implemented, they must be considered and reviewed by the appropriate Township staff, and where necessary, approved by Council.

Roles and Responsibilities

Providing advice

The AAC advocates for accessibility by:

- Focusing on providing unbiased advice to Council;
- Avoiding championing just one issue, and taking a broader view;
- Learning about the Township's processes and the scope of the AAC's ability to affect change to understand potential constraints;
- Ensuring it is familiar with the AODA and its standards

Municipal Consultation

By law, Council must consult with the AAC about:

- Establishing, reviewing and updating the Township's multi-year accessibility plans;
- Developing accessible design criteria in the construction, renovation or placement of bus stops and shelters;
- Determining the proportion of on-demand accessible taxis needed in the Township;

- The need, location and design of accessible on-street parking spaces when building new or making major changes to existing on-street parking spaces;
- Building new or making major changes to existing recreational trails to help determine particular trail features;
- The needs of children and caregivers with various disabilities in their community when building new or making major changes to existing outdoor play spaces;
- The design and placement of rest areas along the exterior path of travel when building new or making major changes to existing exterior paths of travel;

Council's obligation is to consult the AAC as a whole, not any one individual member. Consultation may take many different forms depending on the context and subject matter. Council shall have discretion to determine the best method for consulting the AAC.

Role of the Chair

The Chair is responsible for insuring the smooth and effective operation of the AAC and its roles. The Chair is responsible for:

- Presiding over meetings of the AAC as Chair;
- Providing input in the creation of an agenda in consultation with Township staff;
- Participating as an active voting member of the AAC and encouraging active participation by all members;
- Reviewing reports from other AAC members and affiliates in consultation with Township staff for inclusion on the agenda;
- Representing the AAC on other Township committees when necessary.

Role of Committee Members

Members of the AAC are responsible for:

- Attending and actively participating in all meetings as a voting member;
- Actively participating in AAC initiatives;
- Reading and understanding all information supplied to the AAC;
- Presenting reports on local panel activities;
- Contributing to AAC reports to Council;
- Undertaking research as required;
- Participating in training offered by the Township to effectively perform their role as a member;
- Understanding applicable Municipal, Provincial and Federal legislation;
- Publicly supporting all recommendations made by the AAC and Council; and
- Working with other members to attempt to reach a consensus on decisions brought before the AAC.

Role of the Clerk

The Township Clerk shall assist the AAC by acting as the secretary/clerk at meetings and is responsible for:

- Providing notice of meetings and preparing the agenda;
- Taking minutes of meetings;
- Maintaining an up-to-date record of previous meetings, attachments and reports;
- Distributing minutes of previous meetings and the agenda for the upcoming meeting at least 48 hours prior to the next scheduled meeting;
- Working with the Chair to develop the agenda;
- Acting as a resource for the AAC during meetings that may include presenting background reports, distribution of government information pertaining to the mandate of the AAC;
- Undertaking an orientation and training session with AAC members at the first meeting after Council's appointment of members to the AAC;
- Ensuring that all members of the AAC have signed a Confidentiality Agreement with the Township at the start of their term; and
- Posting approved AAC agendas and minutes on the Township website.

Role of Staff

Township staff are responsible for:

- Facilitating the recommendations of the AAC to Council through the creation of reports;
- Ensuring that other departments of the Township, whose activities or initiatives may impact the AAC, are aware of the implications and the role of the AAC;
- Submitting a report to Council for budget requests or reallocation of funds;
- Administering the use of allocated funds to the AAC.

Term and Composition

The membership of the ACC shall be composed of up to seven (7) members, which shall consist of:

- No fewer than three (3) and not more than five (5) members of the public;
- One (1) member of Township staff; and
- One (1) member of Council.

In accordance with the AODA, a majority of the members of the AAC shall be persons with disabilities.

Members shall be appointed by Council based on the recommendation of the Township Clerk, in accordance with the Advisory Committee Policy. The term of office for members of the AAC shall run concurrently with the term of Council, and until successors are appointed by Council.

At the first meeting of the new term of the AAC, the members shall appoint, from among their members, a Chair and Vice-Chair.

Membership in the AAC is voluntary, and members will not be remunerated or receive an honorarium. Reimbursement for expenses incurred by members of the AAC may be paid provided by the Township, subject to the approval of Council.

Members are required to notify the Chair and Clerk or designated Township staff if they are unable to attend a meeting. Should any member of the AAC fail to attend four (4) or more meetings, the Council may remove that member from the AAC by resolution and appoint another member in his/her place. Members who wish to resign shall notify the Chair and the Township Clerk in writing. Replacement of the member will be through the process outlined in the Advisory Committee Policy.

Meetings

All meetings of the AAC shall be open to the public.

Meetings of the AAC shall be governed by the Township's Procedural By-law. All points of order or procedure for which rules have not been provided in this Terms of Reference shall be decided by the Chair in accordance with the Township's Procedural By-law. The Committee shall also have regard to the policies and guidelines of the Cavan Monaghan Strategic Plan, the Township's Comprehensive Zoning By-law(s), the Official Plan, Parks and Facilities Master Plan and all other applicable plans and documentation.

All decisions and recommendations of the AAC shall be by resolution.

Quorum

A majority of members of the AAC is necessary to form a quorum for the transaction of AAC business.

Minutes and Agendas

Distribution of the agenda for the upcoming meeting will be sent via email to members of the AAC at least 48 hours prior to the next meeting and will be posted on the Township's website. Meetings will be livestreamed and recorded. The livestream and recording will be maintained in accordance with the Records Retention By-law.

Reports including recommendations from the AAC will be sent through the Township Clerk to be included on the next Regular Council Meeting agenda. Minutes will be forwarded to Council for adoption. The member of Council appointed to the AAC will report updates at Regular Council Meetings on the AAC's activities.

The AAC shall hold a minimum of four (4) meetings per calendar year. The AAC will establish its annual meeting schedule at the first meeting or as otherwise approved by the AAC. Meetings shall be held in the Municipal Council Chambers, Committee Room or an alternative location when required. The AAC may also hold a meeting by electronic means in accordance with the Procedural By-law. All meetings will be livestreamed and recorded.

Additional meetings may be held as required at the call of the Clerk in consultation with the Chair.

Subcommittees

The AAC may establish subcommittees from time to time to deal with specific issues. All subcommittees shall be comprised of appointed AAC members. Subcommittees may make recommendations to the AAC. All appointed members of the subcommittee have the right to vote. The Chair of the subcommittee will be appointed at the first meeting of the subcommittee.

Confidentiality Agreement

In accordance with Section 47 of the Municipal Freedom of Information and Protection of Privacy Act and Ontario Regulation 823,

I, _____, in the performance of my duties as a member of an Advisory Committee with the Township of Cavan Monaghan acknowledge, understand and agree to the following;

That the Municipal Freedom of Information and Protection of Privacy Act provides standards for and requires administrative, technical and physical safeguards to ensure the security and confidentiality of records and personal information under the control of the Township of Cavan Monaghan; and

That Ontario Regulation 823 intends to apply access and security considerations in the day to day administration of an institution's records and requires measures be taken to prevent unauthorized access to an institution's records.

I further acknowledge and understand that in the course of carrying out my duties, I may have access to and may be dealing with records containing confidential and/or personal information which reveals not only information about the identity of the person who is the subject of the record, but also the identity of a person who has provided information about the subject of the record.

I hereby agree to hold such information confidential and, except as may be legally required, will not disclose or release it to any person, at any time without proper consent or authorization.

I further agree to take appropriate security measures to prevent unauthorized access to confidential information.

Date (dd/mm/yy)

Signature

Witness

The Township of Cavan Monaghan

By-law No. 2023-08

Being a by-law to govern the calling, place and proceedings of meetings

“Otherwise known as the Procedural By-law”

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The Township of Cavan Monaghan

By-law No. 2023-08

Being a by-law to govern the calling, place and proceedings of meetings

Whereas pursuant to Section 238(2) of the Municipal Act, 2001, as amended, every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

Whereas pursuant to Section 238(2.1) of the Municipal Act, 2001, as amended, the procedure by-law shall provide for public notice of meetings;

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. Definitions:

- a) "Abstain" means a member who is lawfully entitled to vote but chooses not exercise their right to vote on a matter, and in such cases in abstention shall be deemed as a negative vote.
- b) "C.A.O." means the Chief Administrative Officer of the Township of Cavan Monaghan designated by by-law.
- c) "Chair" means Mayor or Presiding Officer of a meeting.
- d) "Clerk" means the Clerk of the Township of Cavan Monaghan designated by by-law.
- e) "Closed Meeting or Session" means a meeting or portion thereof, closed to the public in accordance with Section 239 of the Municipal Act, 2001, as amended.
- f) "Committee" means any advisory or other committee, subcommittee or similar entity of which at least 50 percent of the members are also members of one or more councils or local boards.
- g) "Council" means the Council of the Township of Cavan Monaghan.
- h) "Ex-officio" members may participate but not vote on such a committee, and not affect quorum. The Mayor is considered an ex-officio member of all Advisory Committees, other than those to which the Mayor has been appointed as a member.

- i) **"Local Board"** does not include police services boards or public library boards.
- j) **"Majority"** means more than half.
- k) **"Mayor"** means the Head of Council as set out in the Municipal Act, 2001.
- l) **"Meeting"** means any regular, special or other meeting of a council, of a local board or of a committee of either of them where:
 - i. A quorum of members is present, and
 - ii. Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- m) **"Member"** means a member of the Council of the Township of Cavan Monaghan or any member of a committee to which this by-law applies.
- n) **"Pecuniary Interest"** means a direct or indirect pecuniary interest of a member of Council within the meaning of the Municipal Conflict of Interest Act.
- o) **"Point of Order"** means an issue or concern regarding conformity to this By-law and/or the rule of order of Council, difficulty in continuation of a meeting, improper, offensive or abusive language, notice that discussion is outside the scope of a motion or notice of motion, or irregularities in the proceedings.
- p) **"Point of Privilege"** means a concern about the honour, dignity, character, rights of professionalism of the Mayor, members of Council or members of staff.
- q) **"Quorum"** means a majority of the members of Council.
- r) **"Recorded Vote"** means a written record of the name and vote of each member who votes on a question and of each member present who does not vote.
- s) **"Tie Vote"** means there is a tie of votes on any motion, this shall be deemed to have been decided in the negative (motion defeated).

2. General

- a)
 - i. The rules of procedure contained in this by-law shall be observed in all proceedings of the Council and Committee(s) and shall be the rules and regulations for the order and dispatch of business in the Council and in the Committees
 - ii. All points of order or procedure for which rules have not been provided in this by-law shall be decided by the Chair in accordance, as far as reasonably practicable, with the rules of Parliamentary Law as contained in Robert's Rules of Order.
- b) In this by-law, words in the singular include the plural and vice versa, and all references to gender are intended as gender neutral, present tense includes the future.
- c) In all matters and under all circumstances the members shall be guided by and shall have regard for the Municipal Conflict of Interest Act, R.S.O. 1990.
- d) The Head of Council, or as the case may be, the designated Chair, if it appears that inclement weather or a like occurrence which may be reasonably expected to prevent such members that would constitute a quorum from attending a meeting, may postpone that meeting by advising the Clerk and as many members as they are able to reach. Postponement shall not be for any longer than the next regularly scheduled meeting of Council.

3. Video Equipment & Recording Devices

- a) The use of cameras, electric lighting equipment, television cameras and any other device mechanical, electronic or of similar nature used for transcribing or recording proceedings by auditory or visual means may be permitted by resolution of Council and upon such conditions as Council deems necessary.
- b) The meetings for the Council of the Township of Cavan Monaghan are livestreamed and recorded.
- c) If the meeting is interrupted and cannot proceed with its live feed, the meeting will be recessed for up to fifteen (15) minutes, or until the live feed is resumed. If the live feed cannot be resumed within fifteen (15) minutes the meeting will be considered adjourned. Council and/or the Committee will meet at the next regularly scheduled meeting date or at the call of the Chair and proper notice shall be given.

Meetings, Quorum and Notice

4. Regular Council Meeting

- a) All Regular Meetings of Council shall be held in the Municipal Building, 988 County Road 10, Millbrook, in the Council Chambers. Meetings are held on Mondays at 1:00 p.m. with an approved annual meeting schedule by Council resolution, save and except that in the months of July which there is no scheduled meeting and August there shall be one Regular Meeting. If Monday is a Statutory or Civic Holiday, the Council shall meet at the same hour on the following day, which is not a Statutory or Civic Holiday. The approved annual meeting schedule will then be placed on the Township website and on the Municipal Office bulletin board.
- b) The Inaugural Meeting of Council shall take place on the first Monday following November 15 in the year of the regular election.
- c) Council Meetings shall be limited to a maximum of six (6) hours.
- d) Unfinished business of a Regular Council Meeting shall be adjourned to the next Regular Council Meeting.
- e) The Clerk, with the approval of the Head of Council, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.

5. Special Meeting

- a) The Head of Council may at any time summon a Special Meeting of Council, or upon receipt of a petition of the majority of the members of Council, the Clerk shall call a Special Meeting for the purpose and at the time and place set out in the petition.
- b) The only business to be transacted at a Special Meeting of Council is that which is listed in the notice of meeting or agenda.
- c) All Special Meetings of Council shall be held at the Municipal Office, unless an alternative location is specified in the notice of meeting or agenda.

6. Emergency Meeting

- a) Notwithstanding any other provision of this by-law, an Emergency Meeting of Council may be called by the Chair without written notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available.

- b) The only business to be dealt with at an Emergency Meeting shall be business dealing directly with the emergency or extraordinary situation.
- c) The lack of receipt of a notice of, or an agenda for, an Emergency Meeting by any member shall not affect the validity of the Emergency Meeting or any action taken thereat.

7. Electronic Participation at Meetings

- a) Notwithstanding the provisions of the Procedural By-law a member of Council may participate electronically in a meeting that is either open or closed to the public and in doing so may be counted in determining whether or not a quorum of members is present at any point in time.
- b) Electronic meetings are those held by means of telecommunication instruments including but not limited to telephones, computers and video conferencing.
- c) Members must provide notice to the Clerk by 4:30 p.m. on the day prior to the meeting to ensure the proper technology is enabled to make electronic participation available.
- d) All votes during a meeting where some or all members are participating electronically shall be recorded votes.
- e) Where the Rules of Procedure conflict with the need to facilitate electronic participation, the Chair shall have the authority to modify the Rules of Procedure to ensure members can effectively electronically participate in the meeting.
- f) The Clerk or designate may provide for the electronic participation of Staff, including electronic participation of the Clerk or designate.
- g) In the event that members of the public are not permitted to attend a Regular Meeting or Special Budget Meeting of Council and electronic participation of the public cannot be facilitated due to the emergency, the public will be requested to provide their comments in writing to the Clerk at least three (3) hours prior to the meeting. Any Special or Emergency Meeting of Council will not allow for public comment submissions.
- h) If the meeting is interrupted and the live feed cannot be resumed within fifteen (15) minutes the meeting will be considered adjourned. The names of the

members present shall be recorded in the minutes of the meeting and any decisions of Council and/or Committee up to the point in time of the interruption, will be recorded and the remainder of the items will be discussed at the next regularly scheduled meeting or at the call of the Chair and proper notice shall be given.

8. Closed Session

a) As per the Municipal Act, meetings or part of meetings may be closed to the public if the subject matter being considered is related to:

- i. The security of the of the municipality or local board;
- ii. personal matter about an identifiable individual, including municipal or local board employees;
- iii. a proposed or pending acquisition or disposition of land by the municipality or local board;
- iv. labour relations or employee negotiations;
- v. litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
- vi. advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- vii. a matter in respect of which a council, board, committee or other body may hold a Closed Meeting under another Act;
- viii. information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- ix. a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- x. a trade secret or scientific, technical, commercial or financial information that belongs to the municipality to local board and has monetary value or potential monetary value; or
- xi. a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sch. 1, s. 26.

b) A meeting or part of a meeting shall be closed to the public if the subject matter being considered is:

- i. a request under the Municipal Freedom of information and Protection of

- Privacy Act, if the council, board, commission or other body is the head of an institution for the purposes of that Act; or
- ii. an ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsmen appointed under the Ombudsman Act, an Ombudsman referred to in subsection 223.13 (1) of the Municipal Act, or the investigator referred to in subsection 239.2 (1). 2014, c. 13, Sch. 9, 22.
- c) A meeting of a council or local board of a committee of either of them may be closed to the public if the following conditions are both satisfied:
- i. the meeting is held for the purpose of educating or training the members.
 - ii. at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee. 2006, c. 32, Sch. A, s.103 (1).
- d) Before holding a meeting or part of a meeting that is to be closed to the public, a municipality or local board or committee of them shall state by resolution,
- i. the fact of the holding of the Closed Meeting and the general nature of the matter to be considered at the Closed Meeting; or
 - ii. in the case of a meeting under subsection (3.1) (Educational or training sessions), the fact of the holding of the Closed Meeting, the general nature of its subject-matter and that it is to be closed under that subsection. 2001, c. 25, s. 239 (4); 2006, c. 32, Sch. A, s. 103 (2).
- e) All votes of Council shall be open to the public except those votes taken during a meeting or part thereof that is closed to the public for a procedural matter or for giving directions or instructions to officers, employees or agents of the Township or persons retained by or under contract with the Township, or to rise from closed session.
- f) Members shall ensure that confidential matters disclosed and materials provided to them during closed session are kept confidential. Members shall return to the Clerk all printed material and delete all electronic material provided for the purpose of closed session at the conclusion of the member session portion of the meeting. Violation of these confidentiality provisions may result in the member being expelled from future Closed Session Meetings.
- g) If members are not going to be in attendance or are going to be late for a meeting, they shall contact the office of the Clerk or the Chair, in advance of the meeting.

9. Order & Quorum

- a) The Mayor shall be the Chair of all Regular monthly Meetings of Council, Special and Emergency Meetings.
- b) The Mayor shall call the meeting to order at the time appointed for a meeting or as soon as a quorum is present.
- c) In the case where the Mayor is not present with fifteen (15) minutes after the time appointed for a meeting of Council, the Deputy Mayor shall call the members to order.
- d) In the case where no quorum is present fifteen (15) minutes after the time appointed for a meeting, the Clerk shall record the names of the Council members present and the meeting shall stand adjourned until the date of the next meeting of Council called in accordance with the provisions of this by-law.
- e) During an absence of the Mayor and the Deputy Mayor of Council, from the municipality for a prolonged or designated period, the three (3) Ward Councillors, if a quorum is present, are designated to act as the Chair for the Regular Meetings, in alphabetical order on a rotational basis.
- f) During an absence of the appointed Council Representative from an Advisory Committee or Committee of Council, an alternate Council Representative may attend in their place with the same voting rights and powers.
- g) Where the number of members who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, is such that, at that meeting the remaining members are insufficient to constitute a quorum then, despite any other general or special act, the remaining number of members shall be deemed to constitute a quorum provided such number is not less than two (2). When the remaining number of members is two, the concurrent votes of both are necessary to carry any resolution, by-law or other measure.

10. Notice of Meetings

- a) The posted agenda shall be considered as adequate notice of Regular and Special Meetings of Council.
- b) Public Notice of Regular Meetings and scheduled Special Budget Meetings shall be affected by posting the meeting agenda on the Township website and on the Municipal Office bulletin board no later than five (5) calendar days immediately preceding the meeting.
- c) The date, time and location of the meeting, together with all matters to be included

in the order of business shall be included in the Public Notice. In the event the meeting date and/or time and/or location is changed, the Public Notice will be affected within a similar time frame for the new meeting date.

- d) The Clerk shall deliver notice of each Special Meeting of Council to each member by personal contact, telephone, facsimile or electronic mail at least forty-eight (48) hours before the time set for such Special Meeting and in the notice shall specify the business to be transacted. An agenda constitutes such notice and shall also be posted on the Township website and on the Municipal Office bulletin board.
- e) The forty-eight (48) hours' notice required by Section 9(d) may be waived in the case of an Emergency Meeting as determined by the Head of Council.
- f) Lack of receipt of the notice shall not affect the validity of holding the meeting nor any action taken at the meeting.

Agenda & Order of Business

11. Agenda

- a) Agendas shall be generally formatted by the Clerk under the following headings but modifications or the order of business may be affected without requiring an amendment to this by-law:

- Call to Order
- Approval of the Agenda
- Disclosure of Pecuniary Interest and the General Nature Thereof
- Closed Session
- Report from Closed Session
- Delegations
- Minutes
- Minutes from Committees and Boards
- Reports
- General Business
- Correspondence for Action
- Correspondence for Information
- By-laws
- Unfinished Business
- Notice of Motion
- Confirming By-law
- Adjournment

- b) All material to be included in the agenda, including Closed Session materials, shall be delivered to the Clerk not later than 12:00 p.m. five (5) business days

prior to the meeting date.

- c) An item of business not listed on the agenda cannot be introduced at a Council Meeting without a unanimous vote of Council members present.

12. Disclosure of Pecuniary Interest

- a) It shall be the responsibility of each member of Council to identify and disclose any pecuniary interest and the general nature thereof as defined in the Municipal Conflict of Interest Act, in any item or matter before the Council or Committee. Members who require legal advice concerning any potential conflicts are required to retain independent legal advice and shall not contact the municipal solicitor for such advice.
- b) Where a Council member, either on his/her own behalf or while acting, by with or through another, has any pecuniary interest, direct or indirect in any matters and is present at a meeting at which the matter is the subject of consideration, the member shall:
 - i. prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
 - ii. not take part in the discussion;
 - iii. not vote on any question in respect of the matter; and
 - iv. not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- c) Where a meeting is not open to the public the Council member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration, and also disclose the interest, but not the general nature of that interest at the next meeting that is open to the public.
- d) Where the interest of a Council member has not been disclosed by reason or absence from the particular meeting, the member shall disclose the interest and otherwise comply at the first meeting attended by the member after the particular meeting.
- e) The Clerk shall record the particulars of any disclosure of pecuniary interest made by the Council member and any such record shall appear in the minutes of that particular meeting.
- f) At a meeting which a member discloses an interest, or as soon as possible afterward, the member shall file the Disclosure of Pecuniary Interest Form (Schedule A) with the Clerk of the municipality or the secretary of the committee or local board, as the case may be.

13. Delegations

- a) Any delegation that wishes to address Council for the purpose of making a verbal presentation to Council, will complete and sign a "Delegation Request" form and submit it to the Clerk along with any presentation not later than 12:00 p.m. five (5) business days prior to the Council Meeting. If in the opinion of the Clerk or Chief Administrative Officer, the statement provided does not contain a sufficiently clear statement of the issues or matters to be dealt with at Council, the request for delegation time will be returned for clarification and re-presentation.
- b) Any delegation that has previously appeared before Council regarding the same matter will not be permitted to address Council within six (6) months of the initial visit, unless in the opinion of the Clerk there is new information that is pertinent to the matter.
- c) The Clerk, in consultation with the Chief Administrative Officer, may refuse a delegation when there has been at least one (1) public meeting held at which the public has been provided the opportunity to make a formal presentation to Council on that particular subject within the previous six (6) months.
- d) The Clerk in consultation with the Chief Administrative Officer may refuse to hear delegations or presentations, or to receive communications when, in their opinion, the subject of the material is beyond the jurisdiction of the Council, is providing unsolicited promotion of products and services or where it contains obscene or defamatory content.
- e) Delegations shall be listed on the agenda in the order set by the Clerk and the length of agenda shall be considered when approving the number of delegations at each meeting.
- f) Delegation shall be limited to fifteen (15) minutes to address Council. Delegates will be advised of the ten (10) minutes time limit for the presentation, the time limit of five (5) minutes for questions and the restriction of two (2) presenters in advance of the delegation. This time may be extended at the discretion of Council and with a motion of unanimous support.
- g) Members of the public attending a Council Meeting shall respect the decorum of Council, shall not display signs or placards and refrain from speaking disrespectfully, using offensive language, public outbursts, shouting or behaviour which disrupts the debate, discussion and/or general proceedings of the Council.

Conduct of Meeting Proceedings and Those in Attendance

14. Conduct of Council Meeting Proceedings

- a) It shall be the duty of the Chair to:
 - i. open the meeting of Council by taking the Chair and calling the members to order;
 - ii. announce the business before the Council in the order in which it is to be acted upon;
 - iii. receive and submit, in the proper manner, all motions presented by Council members;
 - iv. put to vote all questions which are moved and seconded, and to announce the result;
 - v. decline to put to vote motions which infringe the rules of procedure;
 - vi. restrain the members, within the rules of order, when engaged in debate;
 - vii. enforce on all occasions the observance of order and decorum among the Council members and those in the gallery;
 - viii. authenticate, by his/her signature all by-laws and minutes of Council;
 - ix. inform the Council, when necessary, on a point of order usage;
 - x. represent and support the Council, declaring its will, and implicitly obeying its decisions in all things;
 - xi. ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council; and
 - xii. adjourn the meeting when the business is concluded.

15. Conduct of Council Members

- a) No member shall:
 - i. speak disrespectfully of any other person;
 - ii. use offensive words or unparliamentary language in or against the Council or against any member in a discriminatory manner;
 - iii. speak on any subject other than the subject in debate;
 - iv. criticize any decision of Council except for the purpose of moving that a question be reconsidered;
 - v. disobey the rules of Council or a decision of the Chair or Council on questions of order or privilege or upon the interpretation of the rules of Council;
 - vi. violate the confidentiality of any matter considered in Closed Session.
- b) Every elected or appointed official or delegation shall address his/her remarks to the Chair. When two or more persons wish to speak, the Chair shall designate the person who has the floor.
- c) When a person is speaking, no other person shall interrupt that person except a member raising a point of order or privilege.

- d) Council members shall refrain from behaviour that could constitute an act of disorder or misbehaviour:
 - i. is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others.
 - ii. prejudices the provision of a service or services to the community.
- e) Council members shall acknowledge that only Council as a whole has the capacity to direct staff members to carry out specific tasks or functions and Council members shall not publicly criticize individual members of staff in a way that casts doubt on their professional competence and credibility.
- f) A member who is called to order shall immediately cease to speak. Any member who persists and ignores the Chair's call to order or the conduct that gave rise to the Chair's call to order may be ordered to leave the meeting by the Chair.
- g) A member must apologize first but the continued presence of the member remains at the decision at the discretion of the Chair.

16. Conduct of Members of the Public

- a) Members of the public who constitute the audience in the Council Chambers during a Council Meeting are expected to maintain order and quiet and shall not:
 - i. address the Council consensus of the Council members;
 - ii. interrupt any speech or action of the Council members or any other person addressing the Council; or
 - iii. display or have in their possession, during a Council Meeting, picket signs or placards in any location where a Council Meeting is being held.
- b) Any member who persists and ignores the Chair's call to order or the conduct that gave rise to the Chair's call to order may be ordered to leave the meeting by the Chair.

17. Petitions & Communications

- a) Every communication, including a petition intended to be presented to the Council, shall be legibly written or printed and shall not contain any obscene or improper language and shall be signed by at least one person and filed with the Clerk. In addition, such communication must include the name and address of at least one of the authors. No anonymous correspondence will be accepted or provided to Council.

- b) Communication received by the Clerk and addressed to Council will be provided to the Council members and originals will be kept in the Clerk's Department.

18. Unfinished Business

- a) The items listed in the order of the topics set out in the agenda of prior meetings which have not been dealt with by Council shall be noted and repeated on each subsequent agenda under Unfinished Business until disposed of by Council, or unless removed from the agenda by resolution of Council.

19. Reading of By-laws

- a) Every by-law shall be introduced upon motion by a member of the Council and any number of by-laws may be introduced together in one motion, but Council shall, at the request of a member, deal separately with any by-law. Every by-law shall have three (3) readings prior to it being passed. A member of Council may introduce all three readings of a by-law within the same motion, duly moved and seconded. If Council so determines, a by-law may be taken as read.
- b) Every by-law which has been passed by the Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Mayor and the Clerk and shall be deposited by the Clerk in the Municipal Office for safekeeping.
- c) The Head of Council, or in the Head's absence, the Deputy Mayor and the Clerk are hereby authorized to sign all agreements and other municipal documents that have been approved by Council.
- d) At the conclusion of every Regular, Special and Emergency Council Meeting prior to adjournment, a confirming by-law shall be brought forward to confirm the actions of the Council at the meeting in respect of each motion, resolution and other action taken. A confirming by-law when introduced, shall be taken as having been given three readings and shall be voted on without debate.

20. Rules of Debate

- a) Every member prior to speaking to any question or motion shall formally address the Chair.
- b) The Chair shall designate the member who has the floor when two or more members request to speak.
- c) No member shall be deemed to have precedence or seniority over any other member.

- d) A member shall not speak more than twice to any motion unless otherwise permitted by the Chair, except the member who has made the motion shall be allowed to reply for a maximum of five (5) minutes.
- e) Every motion or amendment stated by the Chair shall be deemed to be in the possession of the Council and can only be withdrawn before a decision, and with the consent of the mover.
- f) When the Chair calls a member to order, that member shall cease speaking until the Point of Order is dealt with and that member shall not speak again to the matter under discussion without the permission of the Chair unless to appeal the ruling of the Chair.
- g) Every Council member present at a meeting of the Council when a motion is stated shall vote on the motion unless disqualified by statute.

21. Recorded Vote

- a) When a member present requests a recorded vote, all members present at the meeting must vote, unless otherwise disqualified by statute. A request for a recorded vote can be made before or immediately after the taking of a vote on any motion.
- b) Each member name shall be called out by the Clerk in a random order and shall be recorded in the minutes.
- c) All votes during a meeting where some or all members are participating electronically shall be recorded votes.

22. Motions

- a) All motions shall be seconded before being debated or put from the Chair. When a motion is seconded, and at the request of a Council member, it may be read by the Clerk before being voted upon.
- b) If the Chair is of the opinion that a motion is contrary to the rules and privileges of the Council, he/she shall apprise the members thereof immediately before putting the question, and shall cite the rule or authority applicable to the case without argument or comment.
- c) The following matter and motions may be introduced orally without notice and be decided without debate:
 - i. A point of order

- ii. A point of privilege
 - iii. A motion to adjourn
 - iv. A motion to defer
 - v. A motion to refer
 - vi. A motion to suspend the rules of procedure
 - vii. A motion to recess
- d) When a motion is under debate, no motion shall be received other than a motion to; amend, defer, or refer.
- e) Motion to amend – Only one amendment at a time can be presented to the main motion and when an amendment has been decided, another may be introduced. The amendment shall be voted on, and once carried, the main motion as amended, shall be put to a vote.
- f) Motion to defer (table) – A “motion to defer” a matter to a certain date shall be open to debate to determine as to the date to which the matter is deferred.
- g) Motion to refer – A “motion to refer” a matter under consideration shall be open to debate and shall include the terms on which the matter is being referred, the reason for the referral and the time at which it is to be returned.
- h) Motion to put the question – A “motion to put the question” (close debate):
- i. Shall not be amended;
 - ii. Shall not be debated;
 - iii. Shall apply to the motion or amendment under debate at the time when the motion to put the question is made.
- i) Motion to withdraw – After a motion is read or stated by the Chair, it shall be deemed to be in the possession of Council. Once in the possession of Council, a request, from the mover, to withdraw a motion shall be in order and, on hearing no objections, the motion shall be considered withdrawn without the necessity of consent from the seconder of the motion. If a member objects to the motion being withdrawn, the motion shall be voted on accordingly.
- j) Motion to reconsider – A motion requesting to bring back, for further consideration, an identical motion which has already been voted on by Council.
- A motion to reconsider:
- i. Is not in order when another has the floor;
 - ii. Must be seconded;
 - iii. Debate must be confined to reasons for or against reconsideration;
 - iv. Is not amendable;
 - v. Cannot be reconsidered.

A motion may be reconsidered provided that a member who voted with the majority on the original motion moves for reconsideration of the original motion.

When a motion for reconsideration is made at the same meeting at which the question to be reconsidered was dealt with, the motion for reconsideration shall be resolved at that meeting and shall require the support of a majority of the members present.

When a motion for reconsideration is made at a meeting subsequent to that at which the question to be reconsidered was dealt with, the motion for reconsideration shall be initiated by a notice of motion and shall follow that procedure as outlined in this by-law.

A motion to reconsider suspends action on the motion to which it applies until it has been decided.

No motion shall be reconsidered six (6) months after the original motion and shall not be reconsidered more than once.

23. Notice of Motion

- a) A member who wishes to introduce a new motion at a meeting regarding a matter that would not otherwise be considered by the Council at such meeting, shall provide the motion in writing to the Clerk at the conclusion of the meeting.
- b) A notice of motion shall be read aloud and not be considered or debated until the next Regular Meeting of which the mover of the motion is in attendance.
- c) A notice of motion that is called for by the Chair at two (2) successive meetings and not proceeded with shall be dropped from the agenda.

24. Point of Order

- a) The Chair shall preserve order and decide questions of order.
- b) When a member raises a point of order, he/she shall state the Point of Order to the Chair who shall then decide upon the Point of Order and advise the members of the decision.
- c) Unless a member immediately appeals the Chair's decision to the Council, the decision of the Chair shall be final.
- d) If a member appeals to the Council on a Point of Order, Council shall hear the

reasons for the appeal from the appellant. The decision will be made by a majority vote of Council and shall be decided without debate and shall be final.

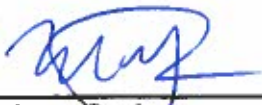
25. Suspension of Rules

- a) Any procedure required by this by-law may be suspended with unanimous consent of the members of Council present, save and except that any statutory requirement with respect to proceedings.

26. By-law No. 2021-60 is hereby repealed in its entirety.

27. That this by-law shall be known as the Procedural By-law for the Council of the Township of Cavan Monaghan.

Read a first, second and third time and passed this 6th day of February, 2023.



Matthew Graham
Mayor



Cindy Page
Clerk



Respect in the Workplace Policy (Violence and Harassment)

Purpose:

The Township of Cavan Monaghan is committed to providing and maintaining a working environment that is based on respect for dignity and is free from harassment in the workplace on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed (religion), sex, sexual orientation, age, record of offences, marital status, family status, and mental or physical handicap.

Scope:

This policy applies to all employees, contractors, consultants and elected officials. It applies in any location in which you are engaged in work-related activities. This includes, but is not limited to:

- The workplace.
- During work-related travel.
- At restaurants, hotels or meeting facilities that are being used for business purposes.
- In company owned or leased facilities.
- During telephone, e-mail or other communications.
- At any work-related social event, whether or not it is company sponsored.

This policy also applies to situations in which you are harassed or subjected to violence in the workplace from individuals who are not employees of the organization, such as customers and suppliers, although the available remedies may be constrained by the situation.

Definitions:

1. Policy

Harassment is a form of discrimination under the *Ontario Human Rights Code*. It is defined in subsection 10(1) of the Code as “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”. This definition includes any behavior, which is known or ought reasonably to be known to be offensive, embarrassing or humiliating and may include written, verbal and/or physical conduct. The source of such conduct may be a director, manager, supervisor, elected official, fellow employee, customer or other member of the public. Harassment and discrimination are violations of the Code and will not be tolerated.

Workplace harassment under the *Occupational Health and Safety Act* will be treated in the same manner as harassment based on Human Rights Code-protected grounds.

Any employee who legitimately feels that he/she has been harassed contrary to this policy has the right to utilize the Harassment Complaint Resolution Procedure outlined below in order to have the situation addressed.

Employees may also file a complaint with the Human Rights Tribunal of Ontario at any time within one (1) year from the date of the last act of alleged discrimination and/or file a grievance with their Union in accordance with procedures outlined in the Collective Agreement.

The Harassment Complaint Resolution Procedure has been developed to assure employees that harassment in the workplace will not be tolerated, that an employee who comes forward with a complaint of harassment will not be subjected to retaliation and that an employee who is alleged to have engaged in harassment will be dealt with fairly. Those also protected from reprisal include witnesses, representatives of complainants and witnesses, investigators and management.

2. Sexual Harassment

Sexual harassment includes conduct or comments of a sexual nature that the recipient does not welcome or that offend him or her. It also includes negative or inappropriate conduct or comments that are not necessarily sexual in nature, but which are directed at an individual because of his or her gender.

Both men and women can be victims of harassment, and someone of the same or opposite sex can harass someone else.

Some examples of sexual harassment are:

- (a) Any deliberate and unsolicited suggestion or physical conduct with a sexual connotation that creates an uncomfortable working environment for the recipient and is made by a person who knows or ought reasonably to know that such action is unwelcome.
- (b) A sexual advance or solicitation made by a person where the person making the advance or solicitation knows or ought reasonably to know that it is unwelcome.
- (c) A reprisal or threat for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.
- (d) Unwelcome remarks, jokes, innuendoes or taunting about a person's body, attire, sex, personal or social life.
- (e) Practical jokes of a sexual nature which give rise to awkwardness or embarrassment.
- (f) Displays of pornographic or other offensive material of a sexual nature.
- (g) Unnecessary physical contact such as touching, patting or pinching which are known or ought reasonably to be known to be unwelcome.
- (h) Expressions of gender bias, which may include remarks which are discriminatory, degrading or derogatory.
- (i) Sexual assault.

3. Discriminatory/Racial Harassment

Discriminatory harassment includes comments or conduct based on the protected grounds in the *Ontario Human Rights Code*, which the recipient does not welcome or that offends him or her.

Some examples of discriminatory harassment include:

- (a) Demeaning comments, unwelcome remarks, jokes, innuendoes or taunting about a person or group of persons based on race, ancestry, place of origin, colour, ethnic origin, citizenship or creed.
- (b) A display of racist pictures or materials or a display which is derogatory or offensive to a person's race.
- (c) Denial of normal co-operation with an employee because of the employee's race or ethnic background.

- (d) Insulting gestures or practical jokes based on race or ethnic grounds which cause awkwardness or embarrassment.
- (e) Demeaning remarks about a racial group that creates an uncomfortable and/or “poisoned work environment”.

4. Poisoned Work Environment

Harassing comments or conduct can poison someone’s working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a poisoned working environment and it is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- (a) Displaying offensive or sexual materials such as posters, pictures, calendars websites or screen savers.
- (b) Distributing offensive e-mail messages or attachments such as pictures or video files.
- (c) Practical jokes that embarrass or insult someone.
- (d) Jokes or insults which are offensive, racist or discriminatory in nature.
- (e) Demeaning racial remarks, jokes or innuendoes about an employee, client or customer, told to other employees, clients or customers may deny the right of those persons who are the subject of the comments, to be viewed as equals.
- (f) Racial remarks, jokes or innuendoes made about other racial groups in the presence of an employee or client may create an apprehension on the part of the members of other racial minority groups that they are targeted when they are not present.
- (g) The display of racist, derogatory or offensive pictures, graffiti or materials is humiliating and also impairs the right of those persons who are members of the targeted racial group from being viewed as equals.
- (h) Racial remarks, jokes or innuendoes do not only poison the environment for racial minority groups. They affect everyone’s environment and are disruptive.

5. Workplace Harassment and Bullying

Workplace harassment is a health and safety issue that is covered under the *Occupational Health and Safety Act*.

The *Occupational Health and Safety Act* defines workplace harassment as:

Engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Workplace harassment may have some or all of the following components:

- It is generally repetitive, although a single serious incident may constitute workplace harassment if it undermines the recipient's psychological or physical integrity and has a lasting harmful effect.
- It is hostile, abusive or inappropriate.
- It affects the person's dignity or psychological integrity.
- It results in a poisoned work environment.

In addition, behaviour that intimidates, isolates or discriminates against the recipient may also be included.

Examples of workplace harassment/bullying are:

- (a) Verbally abusive behaviour such as yelling, insults, ridicule and name calling including remarks, jokes or innuendoes that demean, ridicule, intimidate or offend.
- (b) Workplace pranks, vandalism, bullying and hazing.
- (c) Gossiping or spreading malicious rumours.
- (d) Excluding or ignoring someone, including persistent exclusion of a particular person from workplace-related social gatherings.
- (e) Undermining someone else's efforts by setting impossible goals, with short deadlines and deliberately withholding information that would enable a person to do their job.
- (f) Providing only demeaning or trivial tasks in place of normal job duties.
- (g) Humiliating someone.
- (h) Sabotaging someone else's work.
- (i) Displaying or circulating offensive pictures or materials.
- (j) Offensive or intimidating phone calls or e-mails.

- (k) Impeding an individual's efforts at promotions or transfers for reasons that are not legitimate; and
- (l) Making false allegations about someone in memos or other work related documents.

What Isn't Harassment

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including:

- (a) Measures to correct performance deficiencies, such as placing someone on a performance improvement plan.
- (b) Imposing discipline for workplace infractions; or
- (c) Requesting medical documents in support of an absence from work.

It also does not include normal workplace conflict that may occur between individuals or differences of opinion between co-workers.

The Test of Harassment

It does not matter whether you intended to offend someone. The test of harassment is whether you knew or should have known that the comments or conduct were unwelcome to the other person. For example, someone may make it clear through their conduct or body language that the behaviour is unwelcome, in which case you must immediately stop that behaviour.

Although it is commonly the case, the harasser does not necessarily have to have power or authority over the victim. Harassment can occur from co-worker to co-worker, supervisor to employee and employee to supervisor.

6. Workplace and Domestic Violence

Workplace and domestic violence that may occur in the workplace are health and safety issues, which are covered under the *Occupational Health and Safety Act*.

Workplace Violence

Workplace violence is defined under the *Occupational Health and Safety Act* as:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker.
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker.

- A statement or behaviour that is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

It is defined broadly enough to include acts that may be considered criminal. Workplace violence includes, but is not limited to:

- (a) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, throwing objects.
- (b) Verbal or written threats to physically attack a worker.
- (c) Leaving threatening notes or sending threatening e-mails.
- (d) Wielding a weapon at work.
- (e) Stalking someone; and
- (f) Physically aggressive behaviours including hitting, shoving, standing excessively close to someone in an aggressive manner, pushing, kicking, throwing an object at someone, physically restraining someone or any other form of physical or sexual assault.

Violence that occurs outside the normal workplace but which has an impact on the working environment, including working relationships, may also be considered violence in the workplace.

Domestic Violence

Domestic violence is defined as violence that would likely expose you, or other workers, to physical injury that may occur in the workplace. The Township of Cavan Monaghan will take every precaution reasonable to protect you and your co-workers in this circumstance. This may include some or all of the following:

- (a) Creating a safety plan.
- (b) Contacting the police.
- (c) Establishing enhanced security measures such as a panic button, code words, and door and access security measures.
- (d) Screening calls and blocking certain e-mail addresses.
- (e) Setting up priority parking or providing escorts to your vehicles or to public transportation.

- (f) Adjusting your working hours and location so that they are not predictable; and
- (g) Facilitating your access to counseling through the Employee Assistance Program or other community programs.

We appreciate sensitivity of these issues and will do our best to assist you as discreetly as possible while maintaining your privacy.

Preventing Harassment and Violence

It is the responsibility of directors, managers, supervisors, elected officials, fellow employees, customers or other members of the public to ensure that we create and maintain a harassment and violence-free workplace and address violence and/or the threat(s) of violence from all possible sources.

Township of Cavan Monaghan Commitment

The Township of Cavan Monaghan will do its part by not tolerating or condoning discrimination, harassment or violence in the workplace. This includes making everyone in our organization aware of what behaviour is and is not appropriate, assessing the risk of workplace violence, investigating complaints and imposing suitable corrective measures.

Harassment Complaint Resolution Procedure

Prior to accessing the Complaint Resolution Procedure an employee who feels that he/she is experiencing unwelcome and unwanted behaviour which falls within the definition of harassment should attempt to address the issue directly with the individual involved by politely advising the individual that his/her conduct is unwelcome and unwanted.

In the event that after advising the individual that his/her conduct is unwelcome and deemed to be that of harassment, or if the circumstances are such that the employee feels unable to address the issue directly with the individual, then the employee may proceed directly to the Harassment Complaint Resolution Procedure.

1. The employee (the complainant) shall bring his/her concern immediately to the attention of his/her immediate manager/Director in an attempt to resolve the complaint without the necessity for a written complaint.
2. If the situation persists, or if the complainant feels unable to approach his/her immediate manager/Director, the complainant may bring his/her concern immediately to the attention of the Chief Administrative Officer who shall act as the Advisor.

In doing so, the complainant will be required to set down in writing, the nature of the harassment and the details of the harassment including, where possible, places, dates and times. The complainant may be asked for the identities of any witnesses.

3. Should the alleged complaint involve an employee(s) under the direct supervision of the Advisor, or the Advisor is not perceived as being objective, the concerns can be turned over directly to the Township solicitor.
4. Those involved in the Complaint Resolution Procedure shall be given the opportunity to exercise their right for representation. Representation may include union stewards or a colleague.
5. The Advisor will meet with the person who is alleged to have been the source of the harassment (the respondent) at the earliest opportunity following receipt of the complaint.
6. The respondent shall be advised of the nature of the complaint and shall be given an opportunity to provide his/her details of the alleged complaint. This process may involve one or more meetings in order to allow the respondent a fair opportunity to reply to the complainant's allegations. The respondent may be requested to put his/her response in writing and may be asked for the identities of any witnesses.
7. Following the initial meeting with the respondent, the Advisor will determine whether an informal resolution of the complaint is possible, such as a meeting with the complainant and respondent, an apology or some other informal resolution.
8. If the complaint is resolved informally, the Advisor will retain in a separate file, a copy of the written complaint, together with a memo outlining the manner in which the complaint was resolved. No reference to the complaint will be made in the personnel file of either the complainant or the respondent, unless the terms of the informal resolution provide otherwise.
9. If an informal resolution is not possible, the Advisor will investigate the complaint. Both the complainant and respondent will be counselled on the internal processes of the Complaint Resolution Procedure, and will be requested to provide the names of witnesses who may assist in the investigation. The Advisor may interview these witnesses and may interview any other individual who may have information that might assist with the investigation.
10. The investigation will be completed within ninety days from the date it begins.
11. Upon conclusion of the investigation, the Advisor will meet individually with both the complainant and the respondent to share the results of the investigation and to provide each of them with a further opportunity for input before a final decision is reached.

12. If the Advisor determines that harassment has occurred he/she will decide what action is appropriate in the circumstances. This action may include discipline, up to and including dismissal. The complainant will be kept informed as to the outcome of the resolution, however specific details of any such discipline may not be disclosed for reasons of confidentiality of personal information.
13. If the Advisor determines that no harassment has occurred, he/she will advise the complainant and the respondent. A record of the complaint and the results of the investigation will be kept in a separate file, and no reference to complaint will be made in the respondent's personnel file.
14. If the Advisor determines that the complaint has been made frivolously, vexatiously and/or in bad faith, disciplinary action may be taken against the complainant.

Confidentiality will be maintained throughout the Complaint Procedure. In the event that legal proceedings arise, as a result of the application of this policy, disclosure will be made as required by law.