

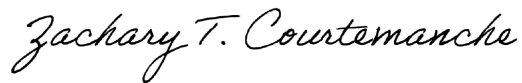
MUNICIPALITY OF CENTRAL MANITOULIN**REPORT ON COMPLAINT RE: D.STEPHENS****EXECUTIVE SUMMARY**

During the month of June 2025, the Integrity Commissioner received a Complaint naming Councillor D. Stephens as Respondent and alleging breaches of the Code of Conduct. The allegations related to comments made by Councillor D. Stephens arising from a meeting of the Finance and Economic Development Committee of Council. The allegations included that the Respondent made false comments about the Complainant which damaged their reputation and credibility, as well as accusing the Chair of the Committee of making light of the issue in question.

Following receipt of the Complaint the Integrity Commissioner requested/reviewed relevant documents from the Municipality, and conducted the required interviews. Following the completion of the inquiry process, the Integrity Commissioner provided a preliminary copy of the report to the Complainant and Respondent for comment. The Complainant and Respondent were invited to provide comment if desired.

The Integrity Commissioner does not find that there has been a violation of the Code of Conduct by the Respondent as alleged in the original Complaint. Accordingly, no recommendations are made for Council on any penalty as no violation of the Code of Conduct is found.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Zachary Courtemanche

As provided to the Municipality, August 18, 2026

MUNICIPALITY OF CENTRAL MANITOULIN
REPORT ON COMPLAINT RE: D. STEPHENS

1. During the month of June 2025, the Integrity Commissioner received a Complaint alleging breaches of the Municipality's Code of Conduct. The allegations related to comments made by Councillor D. Stephens (referred to herein as the "Respondent") arising from a meeting of the Finance and Economic Development Committee of Council. The allegations included that the Respondent made false comments about the Complainant which damaged their reputation and credibility, as well as accusing the Chair of the Committee of making light of the issue in question.
2. Following receipt of the Complaint, the Integrity Commissioner interviewed the Complainant, requested and reviewed relevant materials, and interviewed the Respondent. Where appropriate, the Integrity Commissioner interviews witnesses suggested by the Complainant, Respondent, or other witnesses in order to determine the relevant facts.
3. For ease of reference, this report has been labelled as CM-25-05.

THE RELEVANT PORTIONS OF THE CODE OF CONDUCT

4. As a first step, the Code of Conduct provides for rules surrounding "Interpersonal Behaviours" which would or could be engaged with respect to the allegations made:
5. As it relates to "interpersonal behaviours", the Code of Conduct provides as follows:

Interpersonal Behaviors

Ontario Human Rights Code

Members of Council shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other members of Council, corporate employees, individuals providing services on a contract for service, students on placements, and the public with dignity, understanding, and respect for the right to

equality and the right to an environment that is safe and free from harassment and discrimination.

Discrimination

No member of Council shall discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.

Violence, Harassment, and Respect in the Workplace

No Member of Council shall engage in behaviour which is contrary to the Municipality's Respect in the Workplace Policy, and should be mindful of the application definitions as set out in the *Occupational Health & Safety Act*, as follows:

“workplace harassment” means,

- (a) 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, or
- (b) workplace sexual harassment;

“workplace sexual harassment” means,

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome;

“workplace violence” means,

- (a) the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker,

(b) an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker,

(c) a statement or behaviour that it 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.

For clarity, the exercise of performance management tools, and generally reasonable action taken by an employer relating to the management and direction of workers or the workplace is not workplace harassment.

Relationship with Staff

Members of Council shall be respectful of the fact that staff work for the municipality and make recommendations based on their professional and technical expertise as well as from a corporate perspective, without undue influence from individual members of Council. Many staff members are bound, through professional associations, to a strict code of ethics in the delivery of their services. Accordingly, members of Council shall not:

- Maliciously or falsely injure the professional or ethical reputation of staff;
- Compel staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities; and,
- Use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with staff duties.

6. Additionally, the Code of Conduct provides for duties regarding council and committee conduct, as follows:

Council/Committee Meeting Conduct

Members of Council shall have regard and follow the rules of conduct contained within the municipality's procedural by-law and specifically, members of Council shall not:

- Speak disrespectfully of the reigning sovereign, any member of the Royal family, the Governor General, the Lieutenant-Governor, the head of the Government of Canada or of the Province of Ontario;

- Use offensive words or unparliamentarily words or expressions; and,
- Disobey the rules of the Council or decision of the Chair or of the Council on questions of order or practice or upon the interpretation of the rules of Council.

Members of Council are to conduct themselves with respect and decorum during the course of their performance of their responsibilities as a Member of Council, as well as at meetings of Council and any committees. Members of Council are expected to act in accordance with the provisions of the Municipality's Procedure By-Law, and any other applicable by-laws.

For clarity, a failure by a Member of Council to comply with one or more provisions of the Procedure By-Law does not constitute a breach of this Code of Conduct in itself such as in circumstances where appropriate steps can be taken to call the Member of Council to order, or otherwise address the contravention, and the Member of Council complies.

BACKGROUND

7. Following review of the relevant documentation and interviewing the relevant parties, it is appropriate to summarize the relevant facts as it relates to the matter. However, the facts themselves are not overly lengthy.
8. On June 19, 2025, the Municipality's Finance & Economic Development Committee met in a hybrid format at 7:00PM. During the meeting, a number of items were dealt with including a presentation by a member of the public, following which the members of the Committee discussed the matter.
9. The Respondent participated in this discussion, and expressed his view on a few jurisdictional considerations and the importance of the topic in general, as well as his concern that certain shoreline work or tree removals may have been performed without proper documentation or process. In particular, the discussions also surrounded a question of jurisdiction in shore allowances. The Respondent also had a brief exchange with the Chair of the committee towards the end of the discussion on this topic, expressing a concern that there should not be any "downplaying" of the issue.

10. At the conclusion of the discussion on this topic the matter was referred to staff to research the matter and report at the next meeting. The Respondent seconded the motion directing same.

FACTUAL DETERMINATIONS

11. As above, the Integrity Commissioner interviewed the relevant parties and gathered the necessary documentation in order to assess the within Complaint. The collection of this information and consideration of these allegations took some time. However, having collected and considered same, the following determinations have been made.
12. The pivotal question in this Complaint is whether the Respondent can be determined to have made remarks which run contrary to his obligations pursuant to the Code of Conduct. The earlier paragraphs of this report excerpt the relevant portions of the Code of Conduct which may be impacted by these allegations.
13. Arising from the interviews conducted in this matter, and a review of the relevant materials, such a determination cannot be made.
14. There are only a few portions of the Code of Conduct which could be impacted by the facts described above. As the Complainant is not staff, the portion of the Code of Conduct respecting treatment of staff does not apply.
15. Equally, the portions of the Code of Conduct relating to harassment do not apply. While these provisions largely relate to the definitions arising from the *Occupational Health and Safety Act*'s workplace harassment definitions, as well as discrimination pursuant to the *Human Rights Code*, there is no allegation before the Integrity Commissioner which could fall within these definitions. No protected ground is alleged to be engaged in this matter, and, further, the Integrity Commissioner finds no behaviour which, even if true, could constitute a "course of conduct" within the meaning of those definitions.

16. The initial portion of the “Interpersonal Behaviours” section could, at least arguably, apply. The applicable portion of the language reads as follows: “*Members of Council shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other members of Council, [. . .] with dignity, understanding, and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.*” However, and as already noted, the Integrity Commissioner is unable to find that such conduct alleged, even if proven, would meet the definition of harassment and certainly does not meet the definition of discrimination.
17. Finally, the “Council/Committee Meeting Conduct” section of the Code of Conduct is perhaps most applicable to the allegations. However, within that section, the only applicable portion of the Code of Conduct’s obligations are that members of council must not “Use offensive words or unparliamentarily words or expressions”. Having reviewed the meeting documentation and interviewing the relevant parties, this also cannot be found. On the contrary, in discussion on the topic in question, the Respondent raised what he perceived to be legitimate concerns and questions, his view on a jurisdictional issue, and his opinion of the importance of the discussion. The comments did not constitute, in the Integrity Commissioner’s view, verbal attacks or false accusations.
18. The suggestion of “making light” of the issue, directed to the Chair of the Committee, is also not itself sufficient to violate this section. The Respondent’s remarks included a reference to a concern about “downplaying” the issue. While the Chair did take some exception to the comment during the course of the meeting, the Integrity Commissioner does not find that such remark is an offensive word or an unparliamentary expression so as to violate the Code of Conduct.
19. It bears note that Integrity Commissioners have regularly refused to assess violations in conduct at council and committee meetings, preferring instead that matters be addressed by the Chair in accordance with procedural by-laws (see, for example, *McConnell v Ford*, 2015 ONMIC 4 (CanLII)). A prior report from the Town of Essex (see *Voakes (Re)*, 2016 ONMIC 9 (CanLII)) also commented on the matter of council and committee debate as follows:

As an Integrity Commissioner, I have had many complaints in many municipalities about the behaviour of members of Council in meetings. For all of them, I begin my analysis with the acceptance that vigorous political debate is part of democracy and often protected by the right of freedom of expression. To many new Councillors who are unable to develop a “thick skin”, I say welcome to politics. [. . .]

20. The remark is an important one from a conceptual standpoint. Members of council are required to give diligent consideration to issues. It is why they are there. Accordingly, caution ought to be given to avoid creating a “chilling effect” of sorts on this process, which itself is pivotal to members of council’s roles.
21. In this case, even to the extent that committee discussions are the purview of the Integrity Commissioner, no remarks made by the Respondent are found to constitute a personal attack or defamatory, as alleged or otherwise, and in any event are sufficient to violate the Code of Conduct.

CONCLUDING REMARKS

22. For all the above reasons, the Integrity Commissioner is unable to conclude that a breach of the Code of Conduct occurred as alleged. While it is clear that the Complainant is dissatisfied with the position taken by the Respondent on this issue, the Respondent is an elected member of council and is expected, as part of the role, to participate in the policy and decision-making process in accordance with his obligations to the community. This will, quite naturally, result in disagreement and differences of opinion. However, there is no basis to conclude that his statements in such disagreement constitute a violation of the Code of Conduct by the Respondent as alleged in the Complaint.
23. Since the Integrity Commissioner does not find that there has been a violation of the Code of Conduct by the Respondent as alleged in the Complaint, no recommendations are made to Council on any penalty where no violation of the Code of Conduct is found.

24. The Complainant and Respondent are also thanked for their cooperation throughout the inquiry process.
25. The Integrity Commissioner has considered the implications of subsection 223.8 of the *Municipal Act*, and has not found it to apply to the within matters.
26. Subsection 223.6(2) of the *Municipal Act* states that the Integrity Commissioner may disclose in this written report such information as, in the Integrity Commissioner's opinion, necessary. All the content of these reasons is, in the opinion of the Integrity Commissioner, necessary.
27. The Municipality is reminded that, pursuant to s.223.6(3), it shall ensure that the final report from this Complaint is made available to the public.
28. The Respondent and Complainant, should they wish to respond to the determinations in this report, ought to be permitted to do so.

ALL OF WHICH IS RESPECTFULLY SUBMITTED

Zachary T. Courtemanche

Zachary Courtemanche

August 11, 2026