

#THEWOMENOFONTARIOSAYNO

An Overview for Bill 5*: The Stopping Harassment and Abuse by Local Leaders Act

The Issue at Hand

Municipally elected leaders do not have an appropriate accountability structure when it comes to perpetrating violence and harassment in the workplace. In fact, if a claim of egregious (the most severe) harassment is substantiated; the maximum penalty that can be imposed is three months without pay. But the councillor can retain their position, return to the workplace and seek re-election.

This differs from any other workplace in the province, where not only are workplaces mandated to have violence and harassment in the workplace policies (Bill 168), these policies outline consequences for egregious violation which includes termination.

Why this Bill is so important

The Bill was introduced as a private members bill, as a response to a sitting councillor in Ottawa who was able to seek re-election, even with outstanding claims of egregious sexual harassment (investigation by the Integrity Commissioner was underway). Other instances of councillors perpetrating harassment include Brampton, Barrie and Mississauga. Since this advocacy effort has started, there are further instances cited in many other municipalities across the province of Ontario.

What will the Bill do?

The Bill has three primary components:

1. Require councillors to comply with the workplace violence and harassment policies of the municipality they represent.
2. Permit municipalities to direct the Integrity Commissioner to apply to the court to vacate a member's seat for failing to comply with the municipality's workplace violence and harassment policies.
3. Restrict councillors—whose seat has been vacated—from seeking immediate subsequent re-election.

The Consequences of Doing Nothing

When councillors are able to perpetrate harassment without being held to account, a toxic message is sent to the community.

It means that as an elected official:

1. You are immune to the communal standards of treatment we have come to expect from the population at large, and;
2. You can abuse your power, unchecked, and continue to have the privilege of serving the population that elected you.

A fundamental, underlying principle of broadening diversity, equity and inclusion in politics rests on the assumption that the workplace is SAFE. This is currently not the case. As such, despite the most recent municipal elections in October, 2022, councillors currently can perpetrate the most egregious acts of harassment and keep their jobs.

This has an immeasurably negative impact on communities.

1. Community members and/or municipal staff may not feel safe meeting with their local ward councillor.
2. If a person is harassed, they may not see the point of filing a complaint with the Integrity Commissioner—if suitable action cannot be taken.
3. There is no deterrent for councillors when it comes to perpetrating harassment when they know they can still keep their job.
4. It stifles diversity of voice at the local decision making table—when personal safety is at risk, quality people may be deterred from seeking election.
5. When councillors who have perpetrated harassment to staff or fellow councillors can retain their position, no matter how serious, it creates and protects toxic workplaces, which in turn has an adverse effect on mental health in the workplace and throughout the community.

To learn more check out:
thewomenofontariosayno.com



* In reference to Bill 5, once passed, it will be applicable to ALL municipalities in Ontario at the same time.

6. Lack of accountability supports current systems of privilege and immunity of a certain segment of the population, which is not optimal for healthy communities.
7. It sends the message that if you have power, you are different, and superior to the average citizen.

History of the Bill

Private Members' Bills do not often get passed. They usually deal with an issue of public interest. In this instance, the Bill has received all party support. It was introduced as Bill 260, then the legislature was prorogued when the Federal Election was called. It was then reintroduced as Bill 10, but died when the provincial election was called. It has since been introduced as Bill 5 and it is slated for its second reading in May, 2023. This Bill needs support from every avenue to become law.

The Bill will amend:

1. *Municipal Act, 2001*
2. *The City of Toronto Act, 2006*

How you can help:

1. **Share, Like and Follow** on Social Media: @womenofontariosayno.
2. **Deliver a presentation** to a municipal council in Ontario requesting support (materials provided). This is a unique approach to advocacy, but is appropriate to approach local councils, as it is their workplace.
3. **Provide social media content**- send us a video as to why you or your organization/business supports Bill 5. Better yet—capture the reaction of those who are unaware of this gap in legislation and see if they are comfortable providing their reaction on a video or a quote. It is hard to believe we need to advocate for this.
4. **Showcase your organization or community groups' logo** on our website to add credibility and legitimacy to the advocacy effort.
5. **Meet, write, or call your local MPP** and express that this legislation matters to you, your organization, and their constituents in the community.

6. **Share information** with your networks.
7. **Email the Ontario Human Rights Commission** and request a public inquiry into the issue:

legal@ohrc.on.ca

8. Make a financial contribution to ensure **this never happens to another person in any community in Ontario ever again**. Check out the gofundme page to help support a full-time advocate to speak with all MPPs in the province.

www.gofundme.com/f/basic-human-rights-in-ontario

9. Feel empowered to have the hard conversations. So much of grassroots change occurs at our dinner table, speaking with a neighbour, or your local councillor. Start talking about the issue. Express the change you want to see and never feel ashamed to advocate for basic human rights. We often feel we have to be experts in legislation to advocate for it. We are all experts in how we want to be treated. Let this be your guide.

Be part of the change

Make sure your municipality is in support! Below is a growing list of municipalities since September 2022 that have formally endorsed and communicated public support for Bill 5:

- | | |
|-----------------------------|-------------------------------------|
| • Town of Collingwood | • City of Ottawa |
| • Town of Adjala-Tosorontio | • Town of Wasaga Beach |
| • Township of Ramara | • Township of Tiny |
| • Town of Midland | • Town of Bradford West Gwillimbury |
| • Township of Oro-Medonte | • Town of Penetanguishene |
| • City of Woodstock | • Township of the Archipelago |
| • Town of New Tecumseth | • City of Orillia |
| • Essa Township | • Town of Midland |
| • Township of Clearview | • City of London |
| • City of Barrie | • Municipality of Kincardine |
| • Township of Springwater | • City of Kenora |

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