HARRISON HOT SPRINGS
Naturally Refreshed

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PRESS RELEASE – Statement from Village Council

For Immediate Release

On August 9, 2024, the Council of the Village of Harrison Hot Springs voted to release the following information to the public regarding matters relating to and affecting the work of Council over the last several months.

Your Council would like to assure the public that workplace safety and culture is of paramount importance. The health of our community requires that the Village establish a working environment that is respectful, safe, and centered on our values of respect, integrity, accountability, positivity, collaboration and communication.

Duty to Provide a Safe and Respectful Workplace

The Village, as an employer, is legally required to comply with the Occupational Health and Safety Regulation of the *Workers Compensation Act* (the "WCA Regulation").

The Village has a Bullying and Harassment Program and Plan (the "Policy") which prohibits all forms of bullying and harassment and requires council to ensure that all people working for the Village are free from bullying and harassment. Under the Policy, employees and contractors of the Village are entitled to be treated in a fair and respectful manner.

Pursuant to the Village's Council Code of Conduct ("Code"), Council members are expected to conduct themselves to the highest ethical standards of conduct in all their dealings with every person, including other members and staff. The Code sets the shared expectations for conduct or behaviour for how members of council should conduct themselves while carrying out their duties. Council members are expected to conduct themselves responsibly, which includes treating others with dignity and respect, demonstrating awareness of their own conduct, considering how their words or actions may be perceived, and to not engage in indecent, insulting or abusive conduct.

The Code also requires council members to always act in accordance with the law, including the Community Charter and the WCA.

Duty of Confidentiality

Pursuant to section 117 of the Community Charter, council members for the Village of Harrison Hot Springs are legally required to keep in confidence any information considered in any part of a council meeting that was lawfully closed to the public, until the council discusses the matter at an open council meeting or releases the information to the public.

The Village's Council Procedure Bylaw ("Bylaw") incorporates the Code and Community Charter obligations relating to confidentiality.

Workplace Concerns and a Breach of the Duty of Confidentiality

In the fall of 2023, following a year of significant staff turnover and workplace disruptions, council was concerned that Village staff were experiencing an unhealthy or unsafe workplace. Without a formal complaint, council retained an independent and confidential workplace investigator to conduct a workplace culture assessment. The assessor spoke with staff and council members about their workplace culture, their experiences and their concerns and reported a summary of what they heard. During the assessment, formal complaints were made against two council members and an independent and confidential workplace investigation was conducted.

Also in the fall of 2023, council suspected that a member of council had breached their duty of confidentiality by inappropriately referring to and disclosing information from a closed meeting in public and on social media. The alleged breach was subsequently investigated by an independent third-party investigator.

On July 26, 2024, council received and accepted the results of the workplace assessment, the workplace investigation and confidentiality investigation.

Assessment Conclusions

The assessment concluded that between one another, the Village's staff largely had a positive experience in their immediate work environment notwithstanding the negativity they experienced externally. Despite the challenging circumstances, group cohesion and the level of commitment to their work was high among staff. Overall, however, the Village's staff described their working environment as mostly negative, very frustrating, stressful, dysfunctional and unhealthy.

The two main factors leading to the feeling of negative work environment were Council dysfunction due to the divide between Majority and Minority members, and the conduct of some council members towards staff and other council members.

Workplace Investigation Conclusion

Some allegations against certain members of council were substantiated while others were not. Where allegations were substantiated, it was concluded that certain members of council breached the Harassment Policy, WCA Regulations, the Code, and the Oath of Office. In particular, some conduct amounted to harassment contrary to the WCA Regulations and the Policy. Other conduct amounted to breaches of the Code of Conduct and the Oath of Office.

Confidentiality Investigation Conclusion

Based on the evidence established, it was concluded that confidential information was inappropriately disclosed by a member of council. This constituted a breach of the statutory confidentiality obligations under s.117 of the Community Charter, as well as those of the Bylaw and the Code of Conduct.

Council Action

In response to the findings of the assessment and investigations, Council has decided to take the following remedial measures:

Workplace Culture

1. Whenever possible, provide advance notice to staff of their questions.
2. Provide clearer directions to staff through the use of sufficiently detailed and thought-out resolutions.
3. Build on previous attempts to have and maintain a healthy working relationship between council members by requiring members to (re)commit to putting aside their negative personal feelings towards one another and instead focusing on the community agenda and on the needs of the residents of the Village as a whole.
4. Provide training to council members on their duties and responsibilities as mayor and council members, specifically as it relates to their legal obligations in the WCA Regulations, the Community Charter, the Council Procedure Bylaw, the Code of Conduct and the Oath of Office, following the by-election.
5. Provide training to council members on the Village's new Council Code of Conduct Bylaw following the by-election to ensure that all members are made aware of the standards of conducted expected of them and of the consequences of breaching it.
6. Reserve the right to pursue individual remedial measures against members of council following the by-election.

Confidential Information

1. Review and establish a new protocol or policy for handling closed meeting matters.
2. Provide training to council members on the duty of confidentiality and the new protocol or policy following the by-election.
3. Review and update the Council Code of Conduct, as needed, to more clearly and expressly require council members to abide by the duty of confidentiality and any other protocol or policy related to it.

Council has been diligent in protecting the interests of the Village with respect to the workplace concerns and the breach of confidentiality and wishes to reassure the residents

that council took its responsibilities and the challenges it faced very seriously. Due process and procedural fairness were followed at every step. Council is looking forward to putting these matters behind them so that it can turn its attention more fully to the needs and business of the Village.

Due to confidentiality and provincial privacy legislation, council members are not able to discuss the details of the matters referred to.

- Council of the Village of Harrison Hot Springs