

# Colombian Refugee Association

Presentation to City of Hamilton  
General Issues Committee  
Wednesday, January 18, 2017

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# Progress Review

- **February 1, 2016**
  - Incident in GIC meeting
  - Informal channels to resolve dispute exhausted
- **April 6, 2016 – Presentation to GIC**
  - Recommendations referred to Governance Sub-Committee
- **May 2, 2016 – Governance Sub-Committee Approve Motion to Revise Code of Conduct by City Staff**
- **October 19, 2016**
  - Governance Revisions Report Submitted to General Issues Committee

# Progress Review

- **October 26, 2016** – Council Approves Amendments made to Revision Report
- **October 28, 2016** – Complaint Affidavit Submitted to Integrity Commissioner
- **November 14, 2016** – Response from Integrity Commissioner rejecting complaint inquiry.
- **January 18, 2016**
  - Delegation reporting back to GIC

# Objectives

1. Publically retract statements made at the G.I.C.
2. To ensure such behaviour by council members will not happen again.

Because it is in the public interest.

# Affidavit

- Submitted October 28, 2016
  - Sought to initiate process of enforcing **Section 15** of newly amended **Code of Conduct**.
  - 2 days after council-approved amended revisions.

## *(Section 15)*

*“The Council may also, upon receiving a report from its Integrity Commissioner, take such further or other action... (1) (2) (3) (4) (5).” – Newly Introduced*

- Complaint Rejected by Integrity Commissioner
  - Based on I.C. **By-Law No. 08-154. Section 13.(1)**
  - Complaint filled outside 180-day time period.

# Affidavit

“Reasonable grounds to believe that member of council in question contravened sections:

- Section 7 – Conduct of Members – Order and Decorum
  - Section 7.1. (d)
  - Section 7.1. (f)
- Appendix H – Code of Conduct for Members of Council
  - Purpose – Bullet point 2
  - Section 2.1 (a), (c), (d)
  - Section 17.1. (a),
  - Section 17.1. (b). (i), (ii) “

# Recommendation (1) to GIC

- Introduce motion to enforce I.C. **By-  
Law No. 08-154. Section 13. (2)**
- “I.C. may proceed with an inquiry with a complaint which is filed after the expiry of time limit... if the I.C. is satisfied that:
  - A) the delay was incurred in good faith
  - B) It is in the public interest to proceed with the inquiry
  - C) No substantial prejudice will result to any person because of the delay.

# Progressive Discipline Policy

- Integrate policy as part of **Consequences of Contravention of This Code (Code of Conduct)**
- 3-Step Progressive Remuneration Suspension:
  1. 5 Days
  2. 15 Days
  3. 30 Days
- **Exclusive authority to enact policy designated to the Integrity Commissioner.**



# Recommendation (2) to GIC

- Introduce a motion to:

Refer “Progressive Discipline Policy” recommendation for review by city staff in consultation with the Office of the Ontario Ombudsman.

# Summary

1. Publically retract statements made at the G.I.C.
  - Enforce Integrity Commissioner **By-Law No. 08-154. Section 13. (2)**
  - Accepting affidavit and launching inquiry.
2. To ensure such behaviour by council members will not happen again.
  - Introduce Progressive Discipline Policy
  - Exclusive Authority to the Integrity Commissioner