

# MEMBERS' CODE OF CONDUCT

*PC Party Members, Volunteers, Riding Association Boards, PC Party Staff*

## A. Purpose

Integrity and honesty are both fundamental values of the PC Party of Ontario (PCPO). All Volunteers/Members are expected to conduct themselves with these values in mind when they perform work on behalf of the PCPO. Integrity means doing the right thing. When Volunteers/Members act with integrity, it reflects positively on the values and reputation of the PCPO. The purpose of this Code of Conduct for Volunteers/Members is to outline the position of the PCPO with respect to harassment, discrimination, and violence as well as to set out the minimum standards of behaviour expected of Volunteers/Members of the PCPO in support of the Party.

## B. Application

This Code of Conduct applies to all Volunteers/Members within the PCPO and all Volunteers/Members of affiliated riding associations and election campaigns (Campaigns) (collectively, Volunteers).

## C. Standard

The strength of the PCPO is our Volunteers/Members contributing their time and talent. Every Volunteer has the right to work in an environment that is free of discrimination, harassment and violence. Every Volunteer shall act honestly and in good faith with a view to the best interests of the PCPO and exercise the care, skill and diligence that a reasonably prudent person would exercise in comparable circumstances.

### Discrimination

Discrimination occurs when a person experiences adverse, unjust, prejudicial differential treatment or results, based on a prohibited ground rather than on personal merit. This includes race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status and/or disability.

### Harassment

Harassment is a form of discrimination. It includes any unwanted physical, verbal or written behaviour directed against a person that is known, or ought reasonably to be known, to be unwelcome, offensive, humiliating, or demeaning. Harassment includes:

- displaying or circulating pictures or materials which could reasonably be expected to be offensive or unwelcome, in print or electronic form;
- public or private discussion of documented facts cannot be considered harassment;
- written, recorded, or alleged criticism of an Ontario PC elected official or paid party staff cannot be considered a violation of this code, so long as the statements under question do not violate Canadian laws regarding libel and incitement to violence;
- obtaining, retaining or circulating someone's personal information without their consent, except when required by law; and
- inappropriate coercive behaviour including bullying and repeated offensive or intimidating comments, phone calls or emails.

## Sexual Harassment

Sexual harassment is a form of discrimination and includes any unwelcome sexual behaviour that adversely affects, or threatens to affect, directly or indirectly, a person's working or volunteering conditions. Sexual harassment is unwanted, often coercive sexual behaviour directed by one person toward another. Sexual harassment includes inappropriate sexual touching, advances, suggestions, requests, comments or conduct of a sexual nature. Sexual harassment also includes:

- sexual solicitation or unwanted sexual attention from a person who knows or ought reasonably to know that such attention is unwanted;
- an implied or expressed promise of reward for complying with a sexually oriented request; an implied or expressed threat of reprisal or actual reprisal for refusing to comply with a sexually oriented request;
- a sexual relationship that constitutes an abuse of power in a relationship of authority.

## Psychological Harassment

Psychological harassment is a form of discrimination and includes any behaviour or conduct, verbal comments, and actions or gestures that are hostile or unwanted that affects a person's dignity or psychological or physical integrity.

## Racial Harassment

Racial harassment is a form of discrimination and includes the differential treatment of an individual based upon their race, nationality or ethnic origin, colour and/or religion.

## Violence

Violence includes but is not limited to the exercise of physical force by a person against another person. Appropriate and reasonable measures shall be undertaken by those in leadership roles to ensure that no Volunteer is asked to or feels obliged to pursue activities that compromise their personal safety or security.

## D. Specific Standards of Behaviour for Volunteers/Members

Every Volunteer shall act honestly and in good faith, and exercise the care, skill and diligence that a reasonably prudent person would exercise.

### Expenditures

Volunteers/Members shall abide by the PCPO's policies with regard to expenditures and travel and shall only incur expenses as authorized by the PCPO on behalf of the PC Ontario Fund or by the Board of the respective riding association. During an election campaign, no volunteer will commit to expenditure on behalf of the riding association, Campaign or the PCPO without previous authorization of the applicable Chief financial agent or CFO.

### Conflict of Interest

Volunteers/Members must bring awareness to situations in which their personal or business interests conflict or might conflict or might be reasonably seen to conflict with duties to the PCPO, riding association or Campaign. Volunteers/Members shall, at the first opportunity, disclose any conflict of interest to the appropriate President (PCPO or riding Association) in writing to the appropriate individual. The nature of this reported conflict must be noted in appropriate official records, such as meeting minutes.

In addition, Volunteers/Members must ensure that they are not employed by, or significantly involved with, registered third party organizations that may conflict with the aims and objectives of the PCPO or violate Elections Ontario's guidelines on communications between third party organizations and official party structures.

Finally, Volunteers/Members will be in conflict of interest if they become a member or an active participant in any other Ontario provincial political party or for any independent candidate who seeks election in competition with the PC Party of Ontario or an official PC Party Candidate. Consideration will be made for the Volunteers,

party members and those who are officials have professional interaction with MPPs, Ministers and Staff when evaluating whether a conflict of interest exists.

## **Confidentiality**

At all times, the privacy and dignity of members, other Volunteers/Members, the PCPO staff and other persons must be respected. Volunteers/Members may have access to personal information and documents that are private and confidential in nature and must exercise reasonable care and caution to protect and maintain total confidentiality. Volunteers/Members will not read records or discuss such information unless there is a legitimate purpose. All records are the property of the PCPO and shall not be shared or disclosed unless required in the course of Volunteer Activities or as required by law.

## **Respectful Conduct**

Volunteers/Members must treat all fellow Volunteers/Members, the PCPO staff, and all others with whom they interact while engaging in volunteer activities with respect. Behaviours that exhibit or incite discrimination, harassment or violence, or making false remarks knowing that they are false are not tolerated.

## **E. Resolution for a Breach of the Code of Conduct**

### **Confidentiality**

Being a party to a reporting process under this Code of Conduct can be extremely stressful and upsetting, and we take the privacy of those involved very seriously. While we recognize that there will be some exceptions to the strict rule of confidentiality, it will generally be considered a violation of this Code of Conduct to breach confidentiality. This Code of Conduct does not prohibit or restrict in any manner a Volunteer from reporting incidents of harassment, discrimination or violence to any other authority, governmental or otherwise.

### **Resolution**

In the event that a Volunteer or PC Party member believes that another Volunteer or PC Party member is in breach of the Code of Conduct, he/she is encouraged to attempt to resolve the breach as follows:

Discuss the situation with the person who is believed to have committed the offending conduct. In some cases, simply discussing the offending conduct may be sufficient to eliminate the behaviour.

Report the conduct to a peer and together, seek to resolve the situation with the person who committed the offending conduct.

Report the situation to the President of the riding association, or to the Campaign Manager, or to the Executive Director or the President of the Party or to the Regional Vice-President representing the PCPO Party Executive in whose region the breach is alleged to have occurred.

## **F. Investigation for a Breach of the Code of Conduct**

Once the Party Executive, through the Regional Vice-President (RVP) or Executive Director, informs the Party Executive of a complaint the Executive may create an Investigative Panel to assess the complaint and recommend to the Executive a remedy.

This investigative panel must consist of three members of the executive, including one as chair, the RVP, PCHQ representative and in certain cases where appropriate a PC Party member in good standing, who is also a member of the Law Society of Ontario. This investigative panel must also inform the accused person of the accusation, without violating confidentiality of the complainant, as well as offer the accused person the option of defending themselves to the investigative panel. Should the accused person take the option of defending themselves,

the meeting will be recorded by both the investigative panel and the accused person.

The Investigative Panel will, in a timely way, review all information they feel is relevant to the complaint, including speaking with relevant parties if deemed appropriate, and provide a written recommendation to the Executive of the Party outlining their findings and with a recommended remedy.

Upon the conclusion of the investigation, the complainant shall be made aware of the outcome but not the supporting reasons behind this decision unless required by applicable statutes or regulations. If the complaint does not merit an investigation, the Executive shall inform the complainant of that decision.

*The Executive is not required to provide supporting reasons behind this decision.*

In addition to the complainant being informed of the outcome of the investigation (or whether no investigation was conducted), the complainant should be informed about whether or not other factors (such as information submitted by persons other than the complainant) were considered. The investigative panel does not need to disclose the specifics of the factors that were considered or the identities of the other complainants or information sources.

The investigation panel will determine the timing of notification to the defendant. The defendant has the right to make submissions in writing or orally in person, by phone or digitally. The defendant can submit witness testimony to support their defence.

The accused and the complainant both have the right to an appeal.

## G. Withdrawal of a Complaint

A complainant may withdraw a report of a breach of the Code of Conduct at any time. However, the PCPO Executive remains obligated to pursue the matter if he/she believes that a continued

investigation is required to comply with statutory requirements or is otherwise appropriate to ensure Volunteers/Members are free from discrimination, harassment or violence.

## H. Posting and Communication Requirements

A copy of this Code of Conduct must be displayed at PCHQ and made available at an office operated by a riding association (if any) and Campaign offices in visible places as well as on the website of the PCPO. Upon election to the board, all riding association board members shall acknowledge receipt of this code and confirm that they have reviewed it and will abide by it. The Campaign Manager of each campaign or the Executive Director's delegate shall review this Code of Conduct with Volunteers/Members at the start of and as required during the conduct of the campaign.

## I. Resolution Options

It is at the discretion of the PCPO Executive as to what, if any, action will be taken with a Volunteer/Member who has been found to be in breach of the Code of Conduct. Any decision regarding action must be accompanied by two-thirds majority vote of the PCPO Executive.

Potential actions taken against those who have been found to be in breach of the Code of Conduct may include but are not limited to:

- Removal from PCPO position such as Riding President or member of the Local Riding Executive; Removal from the PCPO Membership listing and refund of membership fees;
- Refusal to issue a membership in the PCPO for a period of months or in extreme cases permanently;
- Referral of findings to the appropriate regulatory or legal authorities;

- Prevention from seeking office to the Party Executive or local Riding Executives
- Prevention from seeking nomination as a PCPO Candidate.

## J. Right to Appeal

Anyone found to be in breach of the code of conduct, may, through written appeal to the Secretary of the PCPO, make a submission with respect to either the findings or disciplinary actions taken by the PCPO executive within:

- 2 months following being informed of the decision of the PCPO Executive and/or,
- 2 months following an Annual General Meeting of the Ontario PC Party.

On receiving the written appeal, the PCPO President and Executive Director will form an appeal Investigative Panel to assess the appeal. This appeal investigative panel must consist of three members of the executive, PCHQ representative and in certain cases where appropriate a PC Party member in good standing, who is also a member of the Law Society of Ontario who were not on the earlier investigation panel looking into this complaint.

The appeal investigation panel will make recommendations to the PCPO Executive who will make the final decision by a two-thirds majority.

The final decision will be communicated within 30 days subsequent to a PCPO Executive meeting.

## K. Other Personnel

Employees of the PCPO at headquarters and throughout the province including regional organizers are covered under a separate Code of Conduct at [www.pcontario.ca](http://www.pcontario.ca). This Code of Conduct for Volunteers applies to employees of the PCPO only if they are engaged in volunteer activities outside the scope of their employment with the PCPO.

Party Executive members are bound by an additional Code of Conduct available at [www.pcontario.ca](http://www.pcontario.ca).

Members of Provincial Parliament are bound by provisions regarding conduct for Members and conflict of interest rules.