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## Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane

Kettle & Stony Point FN, Ontario, Canada N0N 1J1

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### **BAND MEMBERS SUSPENDED PENDING WORKPLACE VIOLENCE INVESTIGATION**

Dear Chippewas of Kettle and Stony Point community members,

This notice is to inform you about a series of Band Council Resolutions (BCR) that have been signed to protect the safety of staff and the integrity of an investigation into workplace violence and harassment involving members of our community and certain Councillors of the First Nation.

In recent weeks, as an employer, the First Nation and Southwind Corporate Development Inc. have received complaints involving three band Councillors. The complaints allege that certain Council Members have been involved in workplace violence and harassment at workplaces located in the Community.

The safety of the employees of the First Nation and Southwind is a top priority at CKSPFN, and the First Nation is required, by law, to take these complaints seriously as a result of the requirements of the *Occupational Health and Safety Regulations* as well as the employment policies that govern the workplace.

In addition to the Workplace Violence and Harassment policies that are meant to provide for a safe workplace for employees, all members of the Band Council are accountable to the policies outlined in the CKSPFN **Leadership Manual and Code of Ethics**.

In order to create a framework to address these complaints of workplace violence and harassment, the First Nation has implemented several BCRs with the goal of implementing a structure that would help facilitate an impartial investigation into the matter by providing a mechanism to place elected members of the First Nation on a Temporary Administrative Suspension in order to facilitate an investigation into the allegations.

Among those BCRs, Chief and Council voted to strike an Investigation Committee of Council responsible for addressing issues arising from this matter.

**An independent third-party investigator has been hired to investigate the complaints in accordance with the Band Council's legal obligations to investigate complaints of Workplace Violence and Harassment.**

Adarys Consulting Ltd. has been retained as the independent third-party investigator, and will commence the investigation in the coming days. Further information about the investigative process and timelines may be provided once the investigator commences the interviews.

The independent third-party investigators will, in accordance with the law, conduct interviews with the complainants, respondent Band Councillors, and employees of CKSPFN and Southwind to determine:

- 1) Whether the alleged conduct did occur.
- 2) Whether the alleged conduct rises to the level of Workplace Violence and Harassment as defined by the relevant legislation and policies.
- 3) Whether the alleged conduct violates the Leadership Manual and Code of Ethics which guides the conduct of elected officials of CKSPFN.

It is important to note that the investigative process has strict requirements surrounding the confidential nature of the investigation and those involved, and much of the aspects of that investigation will remain confidential.



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Once the investigation is complete, the relevant employer will receive findings and recommendations from the independent third-party investigation and will determine what, if any, of the recommendations contained in the report should be implemented.

In an effort to maintain impartiality and integrity of the investigation, the respondent Band Councillors of the Workplace Violence and Harassment investigation are being placed on **Temporary Administrative Suspensions**.

**These Temporary Administrative Suspensions are effective immediately.**

To be clear: **none of the allegations that have caused these Temporary Administrative Suspensions are proven**. To ensure the fairness of the investigation process — and out of respect for the complainants as well as the respondents — the allegations contained in the complaints are confidential.

It is important to underscore that **these Administrative Suspensions are not a reflection of a finding of guilt**, or a finding that any of these complaints are true or rise to the level of Workplace Violence and Harassment. Again, nothing has been proven. The Administrative Suspensions of these Band Councillors are to facilitate the investigation **and are not punitive in any way**.

The Councilors who are Administratively Suspended shall continue to attend at Band Council Meetings remotely and vote on resolutions in accordance with their rights as Members of Council. However, they will not be engaged in any other activities as elected officials and have been directed not to attend at certain workplaces in the Community.

The three councilors who have been named as Respondents to the complaints are Ken Wolfe, Carmen Rogers and Ron George.

Their suspensions begin immediately and will end when the investigation concludes.

We will endeavor to keep you informed as this process continues as is appropriate and as permitted by law.

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