

CANADA  
PROVINCE OF QUEBEC  
MUNICIPALITY OF WEST BOLTON

Minutes of the regular Council sitting of the Municipality of West Bolton, held on Monday, October 4, 2021 at 7:30 p.m. by videoconference with interactive webcast.

The following were present:

Robert Chartier, Councillor n° 1  
Jean-Pierre Pouliot, Councillor n° 2  
Loren Allen, Councillor n° 3  
Denis Vaillancourt, Councillor n° 4  
Gilles Asselin, Councillor n° 5 (briefly absent during the introduction of item 277-1021)  
The members present formed a quorum.  
The sitting was presided over by Jacques Drolet, Mayor.

The following were also present:

Jean-François Grandmont, Director general and Secretary-treasurer  
Maike Storks, Deputy Director general and Deputy Secretary-treasurer  
Michael Ferland, Planning officer and Municipal inspector (left after item 264-1021)

---

**AGENDA**

- 1. CALL TO ORDER**
- 2. ADOPTION OF THE AGENDA**
- 3. FIRST QUESTION PERIOD**
- 4. APPROVAL OF MINUTES**
- 5. CORRESPONDENCE**
- 6. TOWN PLANNING**
  - 6.1. Reports from the Planning officer and Municipal inspector
  - 6.2. Planning Advisory Committee – Minutes
  - 6.3. Application for a Site layout and architectural integration plan (PIIA) #2021-09-0019 – Access driveway - Mount Foster sector
  - 6.4. Application for a Site layout and architectural integration plan (PIIA) #2021-09-0021 – Cadastral Operation - Mont Foster Sector
- 7. ADMINISTRATION**
  - 7.1. Approval of accounts and transfers
  - 7.2. Report of authorized expenditures
  - 7.3. Comparative statements
  - 7.4. Municipal election of November 7, 2021
  - 7.5. Remuneration payable during municipal elections and referendums
  - 7.6. 2021-01 - Workplace harassment, incivility and violence prevention policy
- 8. ROADS**
  - 8.1. Price request #2021-23 – Paige Road resurfacing
  - 8.2. Local Road Assistance Program - Application for financial assistance
  - 8.3. Corrective and preventive resurfacing
  - 8.4. Leveling – Additional resources
- 9. ENVIRONMENT**
- 10. PUBLIC SECURITY**
  - 10.1. Drinking water shortage – Emergency measures – Application for financial assistance
  - 10.2. By-law respecting the application of the Act to promote the protection of persons by establishing a framework with regards to dogs – Declaration and order
  - 10.3. Fire Prevention Week
- 11. HEALTH AND WELL-BEING**
- 12. LEISURE AND CULTURE**
- 13. VARIA**
  - 13.1. Main dans la main – Application for Financial Assistance
  - 13.2. Diapason – Poinsettias
- 14. SECOND QUESTION PERIOD**
- 15. END OF SITTING**

---

**CALL TO ORDER**

With the members present at the start of the session forming a quorum, the sitting was called to order by the mayor at 7:30 p.m.

The mayor made some opening remarks.

---

**257-1021  
ADOPTION OF THE AGENDA**

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Jean-Pierre Pouliot and resolved to adopt the agenda by adding the following item:

8.5 – Mason culvert

Adopted unanimously

---

**258-1021  
APPROVAL OF MINUTES**

*The Mayor pointed out his absence and that of Councillor Denis Vaillancourt during the September 13, 2021 sitting.  
Councillor Jean-Pierre Pouliot pointed out his absence during the adjournment session of September 23, 2021.*

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Loren Allen and resolved to approve the French version of the minutes of the sitting of September 13, 2021 and of its adjournment of September 23, 2021.

Adopted unanimously

---

**259-1021  
FIRST QUESTION PERIOD**

Council held a first question period.

---

**260-1021  
CORRESPONDENCE**

- An email from Gerhard Zimmerl and Cheryl White dated October 3, 2021 titled "The Beauty We Live in." \*

A copy of the correspondence was sent to members of Council.

*\*The mayor requested that this email be forwarded to the newly elected officials.*

---

**261-1021  
TOWN PLANNING  
REPORTS FROM THE PLANNING OFFICER AND  
MUNICIPAL INSPECTOR**

The inspector's report for the months of August and September 2021 were tabled.

**AUGUST**

Number of permits: 10  
Value of work: \$216,000

**SEPTEMBER**

Number of permits: 29  
Value of work: \$2,003,000

**2020**

Violation notices: 12  
Occurrence reports: 16

**2021 (January to September)**

Violation notices: 5  
Occurrence reports: 12

---

**262-1021  
TOWN PLANNING  
PLANNING ADVISORY COMMITTEE - MINUTES**

The minutes of the Planning Advisory Committee of August 9, 2021, were tabled.

---

**263-1021  
TOWN PLANNING  
APPLICATION FOR A SITE LAYOUT AND  
ARCHITECTURAL INTEGRATION PLAN (PIIA) #2021-09-  
0019 - COURTYARD ENTRANCE - MOUNT FOSTER SECTOR**

The planning officer submitted the PIIA application for work to develop an access driveway to prepare the ground for the construction of a residence in 2022:

WHEREAS the recommendation of the Planning Advisory Committee, number 0921-041, adopted at the meeting held on September 24, 2021 with respect to the project hereinafter mentioned has been transmitted to Council;

WHEREAS the aforementioned project meets the objectives and criteria set out in By-law no. 359-2019 respecting site layout and architectural integration plans (PIIA) of the Municipality of West Bolton;

CONSIDERING the favourable opinion of the Planning Advisory Committee with respect to the project in question, which includes two conditions;

WHEREAS pursuant to section 145.19 of the *Act respecting land use planning and development*, Council must render its decision on the plan, after consultation with the Planning Advisory Committee;

After study and consideration:

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Gilles Asselin and resolved to approve PIIA application number 2021-09-0019 concerning the development of an access driveway to prepare the ground for the construction of a residence in 2022 on lot number 6 351 085 of the cadastre of Québec (registration number 9010-09-5801), provided that:

- The section currently deforested in the front setback, due to previous work, be replanted with native species;

- The total deforestation must not exceed 1500 square meters.

Adopted unanimously

---

**264-1021**  
**TOWN PLANNING**  
**APPLICATION FOR A SITE LAYOUT AND**  
**ARCHITECTURAL INTEGRATION PLAN (PIIA) #2021-09-**  
**0021 – CADASTRAL OPERATION MOUNT FOSTER SECTOR**

The planning officer submitted the PIIA application for a cadastral operation for Mount Foster Road:

*This application will:*

1. Allow owners to apply for a subdivision permit;
2. Modify the current boundaries of Mount Foster Road to conform to the work being done.

WHEREAS the recommendation of the Planning Advisory Committee, number 0921-042, adopted at the meeting held on September 24, 2021 with respect to the project in question has been transmitted to Council;

WHEREAS the aforementioned project meets the objectives and criteria set out in By-law no. 359-2019 respecting site layout and architectural integration plans (PIIA) of the Municipality of West Bolton;

CONSIDERING the favourable opinion of the Planning Advisory Committee with regard to the project;

WHEREAS pursuant to section 145.19 of the *Act respecting land use planning and development*, Council must render its decision on the plan following consultation with the Planning Advisory Committee;

After study and consideration:

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Gilles Asselin and resolved to approve PIIA application number 2021-09-0021 for a cadastral operation on lots number 5 193 117, 6 351 081, 6 351 087, 6 351 659 and 6 351 089 of the cadastre of Québec (registration number 9010-74-2369), all as represented in the plan prepared by Mr. Daniel Gélinas, land surveyor, under minute 4862 dated August 23, 2021.

Adopted unanimously

---

**265-1021**  
**ADMINISTRATION**  
**APPROVAL OF ACCOUNTS AND TRANSFERS**

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Loren Allen and resolved to approve the list of accounts and transfers as of September 30, 2021 in the amount of \$71,805.97 and to authorize the director general to settle these accounts.

Adopted unanimously

**266-1021  
ADMINISTRATION  
REPORT OF AUTHORIZED EXPENDITURES**

The director general tabled the report of authorized expenditures.

---

**267-1021  
ADMINISTRATION  
COMPARATIVE STATEMENTS**

The director general tabled the comparative statement of revenues and expenses for the period ending September 30, 2021 and the statement of estimated revenues and expenses for the current fiscal year, dated October 4, 2021.

Copies of the summary of the comparative statements have been made available to the public on the Municipality's website.

---

**268-1021  
ADMINISTRATION  
MUNICIPAL ELECTION OF NOVEMBER 7, 2021**

The director general announced that the following persons had been elected by acclamation:

Jean-Pierre Pouliot, Councillor n° 2  
Loren Allen, Councillor n° 3  
Gilles Asselin, Councillor n° 5  
Nancy Lanteigne, Councillor n° 6.

An election will be held on Sunday, November 7, 2021 for the position of mayor and for the positions of councillors n° 1 and n° 4.

Adopted unanimously

---

**269-1021  
ADMINISTRATION  
REMUNERATION PAYABLE DURING MUNICIPAL  
ELECTIONS AND REFERENDUMS**

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Jean-Pierre Pouliot and resolved:

- to apply the rates established by the *By-law amending certain provisions in municipal matters* in order to facilitate the conduct of the municipal general election of November 7, 2021 in the context of the Covid-19 pandemic, but by setting a minimum rate of \$20/h.
- authorize the director general to hire all staff required to conduct the electoral process in accordance with the law.

Adopted unanimously

---

**270-1021  
ADMINISTRATION  
2021-01 – POLICY REGARDING THE PREVENTION OF  
HARASSMENT, INCIVILITY AND VIOLENCE IN THE  
WORKPLACE**

The mayor or director general presented the policy.

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Denis Vaillancourt and resolved to adopt policy #2021-01 – Policy regarding the prevention of harassment, incivility and violence in the workplace that is appended to this resolution.

---

**271-1021  
ROADS**

**PRICE REQUEST #2021-23 – PAIGE ROAD RESURFACING**

WHEREAS the Municipality has obtained 4 proposals for the completion of the Paige Road resurfacing work as part of call for tenders #2021-23:

<b>CONTRACTOR INCLUDED)</b>	<b>PRICE (TAXES</b>
N. Jeanson Excavation Inc.	\$33,874.51
Roger Dion et Fils 2006 Inc.	\$37,180.05
Excavation Dominic Carey inc.	\$41,414.00
Excavation Désoudy inc	\$59,993.96

IT WAS MOVED by Councillor Loren Allen, SECONDED by Councillor Gilles Asselin and resolved:

- to award a contract to the lowest compliant bidder, Normand Jeanson Excavation Inc., in the amount of \$33,874.51 for granular resurfacing work on Paige Road as part of price request #2021-23;
- to finance this expenditure from the general account of the Municipality and a grant to be received under the local road assistance program;
- to authorize the director general to issue any directives and sign any documents to this effect and to award any related contract within the limits of his or her power of delegation and the authorized budget.

Adopted unanimously

---

**272-1021  
ROADS**

**LOCAL ROAD ASSISTANCE PROGRAM – APPLICATION FOR FINANCIAL ASSISTANCE**

WHEREAS the Municipality of West Bolton has become aware of the terms and conditions of application of the support component of the Local Road Assistance Program (PAVL);

WHEREAS the Municipality of West Bolton undertakes to obtain the necessary funding for the completion of the entire project, including the Ministry's share;

WHEREAS only work carried out after the date indicated on the announcement letter is eligible for financial assistance;

WHEREAS the Municipality of West Bolton chooses to establish the source of calculation of the financial assistance according to the following option:

- Detailed estimate of the cost of the work;
- the provision of services outlining costs (over-the-counter);

- the bid forms of the successful contractor (call for tenders).

FOR THESE REASONS, IT WAS MOVED by Councillor Loren Allen, SECONDED by Councillor Denis Vaillancourt and resolved that the Council of the Municipality of West Bolton authorizes the submission of an application for financial assistance for eligible work, confirms its commitment to have the work carried out in accordance with the established terms and conditions and recognizes that in the event of non-compliance with it, the financial assistance will be terminated.

*Note: street concerned = Argyll Road*

Adopted unanimously

---

**273-1021  
ROADS  
CORRECTIVE AND PREVENTIVE RESURFACING**

CONSIDERING the non-availability in the short term of Nivelage M.C. to meet the need of the municipality.

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Loren Allen and resolved:

- to accept the unit price proposal dated October 4, 2021 from Normand Jeanson Excavation Inc. at an estimated amount of \$12,727.73 for the supply of Mg-20b necessary for corrective and preventive resurfacing work as part of price request #2021-24;
- to finance this expenditure from the general account of the municipality;
- to authorize the director general to issue any directive, sign any document and award any related contract within the limits of his or her delegation of authority and the authorized budget.

Adopted unanimously

---

**274-1021  
ROADS  
LEVELING – ADDITIONAL RESOURCES**

CONSIDERING the non-availability in the short term of Nivelage M.C. to meet the need of the Municipality.

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Loren Allen and resolved:

- to accept the proposal dated October 4, 2021 from Normand Jeanson Excavation Inc. for the supply of a grader and compactor (if required) at an estimated hourly rate, for an estimated amount of \$10,491.47.
- to finance this expenditure from the general account of the municipality;
- to authorize the director general to issue any directives, sign any documents and award any related contract within the limits of his or her delegation of authority and the authorized budget.

Adopted unanimously

---

**275-1021  
ROADS**

**MASON CULVERT**

The mayor informed the public about the presence of contaminated soil due to an oil tank found buried below the Mason culvert during the culvert replacement work.

---

**276-1021  
ENVIRONMENT**

Nothing to discuss.

---

**277-1021  
PUBLIC SECURITY  
DRINKING WATER SHORTAGE – EMERGENCY  
MEASURES – APPLICATION FOR FINANCIAL ASSISTANCE**

CONSIDERING that the dry weather that has been raging for months has dried up the wells of some of our citizens;

CONSIDERING that the situation does not show any signs of improving in the short term;

CONSIDERING the importance of being able to adapt quickly to climate change;

CONSIDERING that well diggers are not available until 2022 for individual requests;

CONSIDERING that it would be possible to obtain a well digger in October by urgently grouping the wells to be dug;

CONSIDERING that the cost of an artesian well can reach \$25,000 including all equipment and connection costs;

CONSIDERING that some citizens are experiencing this shortage for the first time and do not have the financial resources to deal with it;

CONSIDERING the urgency to act;

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Jean-Pierre Pouliot and resolved:

- that the preamble be an integral part of this resolution;
- to declare the current water shortage a threat to the health of our citizens;
- that a notice to that effect be sent to all citizens of the municipality;
- to ask the *Ministère de la Sécurité publique* to set up a financial assistance and compensation program to counter this water shortage in the same way as if it were another type of disaster.



Voted in favour: Jean-Pierre Pouliot, Loren Allen, Denis Vaillancourt, Gilles Asselin

Against: Robert Chartier

IN FAVOUR: 4                      AGAINST: 1

Adopted by majority

---

**278-1021**  
**PUBLIC SECURITY**  
**BY-LAW RESPECTING THE APPLICATION OF THE ACT TO**  
**PROMOTE THE PROTECTION OF PERSONS BY**  
**ESTABLISHING A FRAMEWORK WITH REGARDS TO**  
**DOGS – DECLARATION AND ORDER**

CONSIDERING that a person was attacked by a free-roaming aggressive dog while walking on Tuer Road on June 18, 2021 around 10:30 am;

CONSIDERING that this attack caused this person to fall into a ditch and sustain injuries;

CONSIDERING that the incident was reported to the Sûreté du Québec (Calling Card #05-210618-0676) and that a dog evaluation procedure was initiated by the municipality in accordance with the *By-law respecting the application of the Act to promote the protection of persons by establishing a framework with regards to dogs*;

CONSIDERING that a copy of the canine evaluation report of the dog named Omerta (nicknamed "Momo"), a sterilized 5-year-old American Bully breed (tag #325), has been sent to the owners;

CONSIDERING that Dr Marie-Josée Neault, a consultant, has assessed Omerta's level of dangerousness at 4 on a scale of 10, which categorizes the animal as a dog presenting a low-to-moderate risk to public health or safety;

CONSIDERING that a notice of intention to declare Omerta as potentially dangerous has been sent to the owners and that they have had the opportunity to make their representation;

CONSIDERING the importance of ensuring the health and safety of citizens;

CONSIDERING that the owners are taking dog training courses;

CONSIDERING that the *By-law respecting the application of the Act to promote the protection of persons by establishing a framework with regards to dogs* provides for minimum measures to be respected when a dog is declared potentially dangerous;

IT WAS MOVED by Councillor Denis Vaillancourt, SECONDED by Councillor Robert Chartier and resolved:

- that the preamble be an integral part of this resolution;
- to declare Omerta (tag #325) a potentially dangerous dog;
- to order the owners of Omerta to comply with the following mandatory measures and conditions. This dog must:
  1. in a public place, always be under the control of a person capable of controlling it;
  2. wear a head harness (halter);

3. not be on a property owned by another owner or custodian, unless the presence of the dog has been expressly authorized;
  4. at all times, have an up-to-date rabies vaccination status;
  5. be cared for in the presence of a child 10 years of age or younger only if the child is under the constant supervision of a person 18 years of age or older;
  6. be kept by means of a device that prevents it from leaving the limits of a private yard that is not fenced or whose fence does not allow it to be contained there;
  7. be kept in a place with a prominent sign that notifies any visitor of the presence of a dog that has been declared as potentially dangerous;
  8. wear a basket muzzle in a public place at all times. In addition, it must be held there by means of a leash with a maximum length of 1.25 m except in a canine exercise area;
- to suggest to the owners of Omerta to follow the additional recommendations of Dr. Marie-Josée Neault, as transmitted in the notice of intent dated September 10, 2021.
  - that this resolution be entered in a register that will enable the planning officer and municipal inspector to periodically monitor compliance with the conditions.

Adopted unanimously

---

**279-1021  
PUBLIC SECURITY  
FIRE PREVENTION WEEK**

Fire Prevention Week takes place from October 3 to 9, 2021 under the theme "The first person responsible is you!".

Every year in Quebec, fires cause on average:

Damage to 13 houses every day,  
Injuries to 400 people,  
The evacuation of 24,000 people.

Nearly 49% of fires that occur in homes are related to distraction or human error.

---

**280-1021  
HEALTH AND WELL-BEING**

Nothing to discuss.

---

**281-1021  
LEISURE AND CULTURE**

Nothing to discuss.

---

**282-1021**  
**VARIA**  
**MAIN DANS LA MAIN**  
**APPLICATION FOR FINANCIAL ASSISTANCE**

IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Loren Allen and resolved to grant \$350 in financial assistance to the *Centre de pédiatrie sociale en communauté Main dans la Main* which helps children in situations of great vulnerability in Brome-Missisquoi.

---

**283-1021**  
**VARIA**  
**DIAPASON - POINSETTIAS**

IT WAS MOVED by Councillor Gilles Asselin, SECONDED by Councillor Denis Vaillancourt and resolved to order 10 poinsettias at a cost of \$20 each to support the *Fondation Au Diapason* so that it can continue to offer free palliative care and support services for people at the end of life and their loved ones.

---

**284-1021**  
**SECOND QUESTION PERIOD**

Council held a question period during which those attending the live broadcast could ask questions to its members.

Copies of the agenda were made available to the public electronically prior to the start of the sitting.

---

**285-1021**  
**END OF SITTING**

With the agenda having been exhausted, IT WAS MOVED by Councillor Jean-Pierre Pouliot, SECONDED by Councillor Loren Allen and unanimously resolved to end the sitting at 9:15p.m.

---

Jean-François Grandmont, OMA  
Director general and Secretary-treasurer

---

Jacques Drolet  
Mayor

**Attestation**

The signature of these minutes by the mayor is equivalent to the signature by the mayor of all the resolutions it contains as per section 142 of the Municipal Code.

## Mot d'ouverture - Opening remarks

Bonsoir à toutes et à tous et bienvenue à votre assemblée du Conseil pour le mois d'octobre. Good evening to all and welcome to the October sitting of your Council.

Bien que le nombre de cas du COVID-19 ait diminué, le virus fait toujours des siennes. En date du 5 octobre le CIUSSS de l'Estrie indiqué qu'il a eu 19 cas à Bolton-Ouest et 142 à Ville de Lac-Brome, dont 5 sont toujours actifs. C'est pourquoi que les directives sanitaires gouvernementales incluant celles concernant les regroupements, sont toujours en vigueur. Nous devons continuer de nous protéger. Suite à la publication du sondage pour les politiques familiales et MADA, nous avons annoncé qu'une consultation sera tenue au Centre Lac-Brome, pour laquelle nous vous demandons de vous inscrire à l'avance, car le nombre de places sera limité, compte tenu de ces mêmes mesures sanitaires et à la limite, elle pourrait être annulée.

Although the number of Covid 19 cases has diminished, this virus is still present. As of October 5th, the CIUSSS Estrie reported 19 cases at Bonton-Ouest and 142 at Ville Lac Brome, of which 5 are still active. This is the reason governmental directives, including those for any regrouping are still in force. We must continue to protect ourselves. Following the publishing of the survey for the Family and MADA policies, we announced a consultation to be held at Centre Lac Brome, for which you are asked to reserve your place, given the limited number available. Government sanitary measures will be in place and may even force the cancellation of this event and its postponement to a further date.

Cette semaine est la Semaine de la prévention des Incendies. C'est le moment idéal pour vérifier nos avertisseurs de fumée, revoir nos plans d'évacuation, inspecter nos installations de chauffage au bois, incluant le ramonage des cheminées.

This week is the Fire Prevention Week. Let's use this time to verify our smoke alarms, evacuation plan, inspection of our wood-burning installations, including the cleaning of chimneys.

## Remarques de clôture - Closing remarks

Cette soirée marque ma dernière intervention publique comme Maire de Bolton-Ouest. Je prends donc cette opportunité pour souligner le travail de quelques personnes, au cours des 8 dernières années au Conseil. First of all, I would like to heart fully thank Donald Badger, who recruited me. Je ne voudrais pas passer sous silence, tous les gens qui ont contribué grandement aux succès de notre Municipalité. Joann McBrine, Julian Tuer, Kelly Hume, Lindsay Tuer, Cedric Briggs, les Conseillers actuels Robert Chartier, Jean Pierre Pouliot, Loren Allen, Denis Vaillancourt et Gilles Asselin. Un merci spécial à tous les citoyens ayant siégé au Comité Consultatif d'Urbanisme, ainsi qu'à tous nos fournisseurs de biens et service. In particular, a very special thank you to Mr Robert Hume, who for more than 25 years, through his company R P Excavations, maintained our roads year after year. Je m'en voudrais de ne pas signaler tous les membres de l'Administration, M. Grandmont, Mme Storcks, M. Ferland and Mr Rhicard.

Enfin, je tiens à vous remercier tous d'avoir contribué à notre vie municipale. Thank you to all of you for your contribution to our municipal way of life, Merci et au revoir, thank you and goodbye.

Jacques Drolet



**POLICY REGARDING THE PREVENTION OF HARASSMENT, INCIVILITY  
AND VIOLENCE IN THE WORKPLACE  
OCTOBER 4, 2021**

**WHEREAS** everyone has the right to operate in a work environment that protects his or her health, safety and dignity;

**WHEREAS** the *Act respecting labour standards* (hereinafter "ALS") provides for the obligation for every employer to adopt and make available a harassment prevention policy, including a component on sexual conduct;

**WHEREAS** the municipality undertakes to adopt proactive and preventive behaviours in relation to any situation amounting to harassment, incivility or violence in the workplace, as well as to make the entire organization responsible in this regard;

**WHEREAS** the municipality intends to put in place measures to prevent any situation of harassment, incivility or violence in its workplace;

**WHEREAS** the municipality does not tolerate or admit any form of harassment, incivility or violence in its workplace;

**WHEREAS** it is the responsibility of every member of the municipal organization to promote a workplace free from harassment, incivility or violence;

**ACCORDINGLY**, the municipality adopts this Policy regarding the prevention of harassment, incivility and violence in the workplace.

**1. Objectives of the policy**

The purpose of this policy is to:

- ✓ Develop a respectful organizational culture;
- ✓ Take reasonable steps to prevent and stop any form of harassment, whether psychological or sexual, incivility or violence in the workplace;
- ✓ Clarify the roles and responsibilities of all members of the organization in relation to this policy;
- ✓ Effectively manage and stop behaviours of harassment, incivility or violence in the workplace;
- ✓ Encourage municipal employees to report any situation of harassment, incivility or violence in the workplace;



- ✓ Provide appropriate support, to the extent possible, to victims of harassment, incivility or violence in the workplace.

## **2. Scope**

This policy governs relations between co-workers, between superiors, between managers and subordinates, between employees and citizens, between employees and elected officials, between employees and suppliers of the municipality as well as between employees and any other third party. This policy applies to conduct that may occur in the course of work and during work-related social events.

## **3. Definitions**

### **Employee:**

A person who performs work under the direction or control of the employer. For the purpose of this policy, a volunteer is considered to be an employee.

### **Employer:**

Municipality of West Bolton

### **Management rights:**

The right of the employer to direct its employees and its organization to ensure the smooth running and profitability of the municipality. For example, monitoring of work performance, absenteeism, assignment of tasks or application of a disciplinary or administrative process.

Psychological harassment should not be confused with the exercise of the employer's authority to the extent that the employer does not exercise that authority in a discriminatory or abusive manner.

### **Psychological harassment:**

Psychological harassment is vexatious conduct that manifests itself in repeated words, deeds, behaviours or gestures that are hostile or unwanted, and that are likely to violate the dignity or physical or psychological integrity of a person, or likely to result in unfavourable working conditions for that person that make the work environment harmful.

In general, harassment takes the form of repeated acts. However, a single serious act that has a continuing harmful effect may also be considered harassment.

This definition includes harassment related to a ground of discrimination contained in the Charters of Rights and Freedoms, administrative harassment (abuse of power) and sexual harassment (hereinafter collectively: "harassment").

### **Sexual harassment:**

For clarification, sexual harassment is characterized by words, deeds, behaviors or gestures of a sexual nature or connotation. It can manifest itself in particular through:



- ✓ Inappropriate advances, requests for favors, invitations or requests of a sexual nature;
- ✓ Sexual comments, remarks about the person's body or appearance, jokes that denigrate the person's gender identity or sexual orientation;
- ✓ Unwanted physical contact, such as touching, pinching, grabbing, intentional brushing;
- ✓ Threats, reprisals or any other injustice associated with sexual favours.

**Incivility:**

Conduct that violates the obligation of mutual respect specific to any workplace relationship.

**The accused:**

A person who allegedly behaves in a harassing, uncivil or violent manner and who is the subject of a report or complaint. It may be an employee, including an executive and top management, an elected official, a supplier, a citizen or a third party.

**Complainant:**

The person who believes he or she is a victim of harassment, incivility or violence at work. This can be an employee, including an executive and top management.

**Immediate supervisor:**

An executive who represents the first level of authority above an employee and who has direct control over the performance of the employee's work.

**Workplace violence:**

Any aggression that harms the physical or moral integrity of a person.

**4. Roles and responsibilities**

All persons covered by this policy must conduct themselves in a manner that is devoid of harassment, incivility or violence in the workplace. They must also contribute to the establishment of a healthy working climate, in particular by reporting to the employer any situation of harassment, incivility or violence at work.





#### **4.1 Council**

- a) Takes reasonable steps to prevent or, where such conduct is brought to its attention, to stop harassment, incivility or violence in the workplace;
- b) Supports top management and immediate supervisors in the application of this policy;
- c) Receives any complaint directed against top management, in which case, the sections of this policy apply with the necessary modifications.

#### **4.2 Top management:**

- a) Is responsible for the application of this policy;
- b) Diligently handles any report or complaint and investigates or refers it to an external expert.

#### **4.3 The immediate supervisor**

- a) Ensures the dissemination of this policy and raises awareness among employees;
- b) Diligently handles any report or complaint by taking reasonable steps to maintain a healthy work environment;
- c) Facilitates the resolution of any conflict and collaborates with the various stakeholders;
- d) Informs top management of any report, complaint or intervention of interest.

#### **4.4 The employee**

- a) Reads this policy;
- b) Collaborates in resolution mechanisms, where required.

#### **4.5 The complainant**

- a) Reports any situation of harassment, incivility or violence at work with the potential accused in order to ask him/her to stop such behavior;



- b) Reports the situation to an immediate supervisor if harassment, incivility or violence at work continues;
- c) Collaborates in resolution mechanisms.

#### **4.6 The accused**

- a) Collaborates on resolution mechanisms.

### **5. Internal procedure for handling accusations and complaints**

- a) Any accusation or complaint will be handled with diligence, fairness, discretion and impartially;
- b) As much as possible, the complainant must promptly notify the accused to immediately cease his or her undesirable or harassing behavior;
- c) The mechanisms set out in this policy do not prevent a person from availing himself or herself of the rights conferred on him or her by law within the statute of limitations.

#### **5.1 Informal resolution mechanism**

- a) The informal resolution mechanism aims to avoid undue disruption to the workplace and to involve the complainant and the accused in the search for informal conflict resolution solutions. The parties may use this mechanism at any time when dealing with an accusation or a complaint;
- b) The complainant reports the conflict to his or her immediate supervisor (or top management if his or her immediate supervisor is involved) and is informed of the options available to him or her to resolve the conflict;
- c) The person who receives an accusation or complaint must:
  - ✓ Verify the willingness of the parties to initiate an informal resolution mechanism;
- d) If the parties wish to participate in the informal resolution mechanism, the person handling the accusation or complaint must:
  - ✓ Obtain each party's version of the facts;
  - ✓ Stimulate discussion and suggest possible solutions to the conflict;



- ✓ Identify with the parties the solutions proposed in order to resolve the conflict;
- e) If the mechanism fails, the person who received or processed the accusation or complaint informs the complainant of the possibility of continuing with the formal resolution mechanism. He or she informs the director general of the failure of the informal mechanism. The latter may decide to investigate and determine the applicable measures, if any.

## **5.2 Formal harassment resolution mechanism**

- a) The formal resolution mechanism does not apply to accusations or complaints of incivility or violence at work, unless they amount to harassment;
- b) The complainant may make a formal complaint to top management no later than two (2) years after the last manifestation of harassing conduct. In the event that the complaint concerns top management, the complainant forwards it directly to the mayor.
- c) A complaint form identifying the information essential to the processing of the complaint is attached. The complainant or the person making the accusation shall record in writing all the allegations supporting the complaint on the basis of facts, specifying, if possible, the dates and indicating the names of the persons who witnessed the events.

## **5.3 Investigation**

- a) Top management, upon receiving a complaint:
  - ✓ does preliminary checks of what has already been attempted to resolve the conflict;
  - ✓ decides whether they will investigate the matter or entrust it to a third party or an external expert (hereinafter collectively: "designated person");
  - ✓ Establishes temporary measures, when required;
- b) The director general or designated person then checks whether the complaint is admissible and informs the complainant of their decision in writing;
- c) In the event that the complaint is found to be admissible, top management or the designated person examines all the facts and circumstances related to the allegations provided by the complainant;



- d) Top management or the designated person first notifies the accused verbally of the holding of an investigation. A written notice of meeting is then sent to the accused, at least forty-eight (48) hours before the meeting to obtain his/her version of the facts. The notice of meeting shall indicate the main elements of the complaint;
- e) The investigation involves the meeting of the parties concerned by the complaint as well as the various relevant witnesses. During these meetings, the complainant and the accused may choose to be accompanied by a person of their choice who is not concerned by the complaint. Any person with whom the parties meet, including the accompanying person, must sign a confidentiality agreement. An accompanying person cannot be a witness.

#### **5.4 Findings of the investigation**

- a) Top management or the designated person produces a written report in which they conclude that there was harassment or not. To follow up on the investigation, they may, among other things:
  - ✓ Meet individually with the complainant and the accused to inform them whether the complaint is founded or not;
  - ✓ Meet with Council or top management to inform them whether the complaint is founded or not and to make recommendations, if any;
  - ✓ Intervene in the complainant's workplace to stop the harassment;
  - ✓ Impose sanctions;
  - ✓ Agree on a reasonable accommodation when the complaint concerns an elected official, a citizen, a volunteer or a supplier;
  - ✓ Refer the complainant or the accused to an employee assistance service or other professional resource.
- b) The complainant may withdraw the complaint at any time in writing. In the event that the complaint is withdrawn by the complainant, the Director general reserves the right to continue the investigation if he deems that the situation so warrants;
- c) Certain measures may also be implemented to ensure a healthy workplace, even if no allegation of harassment is found to be true.

#### **6. Formal mechanism for resolving complaints or reports of incivility or violence in the workplace**



- a) The complainant may submit a formal complaint to top management no later than thirty (30) days after the last manifestation of a conduct of incivility or violence at work. In the event that the complaint concerns top management, the complainant forwards it directly to the mayor;
- b) A complaint form identifying the information essential to the processing of the complaint is attached. The complainant or the person making the report shall record in writing all the allegations supporting his complaint on the basis of facts, specifying, if possible, the dates and indicating the names of the persons who witnessed the events.
- c) In the event of failure of the informal resolution mechanism and in the presence of allegations of incivility or violence, top management or the designated person may decide to investigate in accordance with the generally applicable rules and determine the applicable measures, if any;
- d) This mechanism also applies when a supplier, a citizen, a third party, or a volunteer is the subject of a complaint of incivility or violence. In such a case, top management or the designated person determines the reasonable accommodations that apply, if any;
- e) In the event that an elected official or top management is the subject of the complaint, it is the responsibility of the Municipal Council to determine the appropriate process to deal with the matter.

## **7. Sanctions**

- a) Any employee, including an executive and top management, who does not respect the content of this policy is liable to administrative or disciplinary measures depending on the seriousness of the actions taken, up to and including dismissal;
- b) Any elected official, citizen, volunteer, supplier or third party who does not respect the content of this policy is liable to administrative or legal measures depending on the seriousness of the events involved.

## **8. Confidentiality**

The employer respects the right to confidentiality of personal information in relation to the application of this policy. All reports and complaints are handled with discretion and confidentiality is required of all persons involved. Accordingly, the employer acknowledges that this information will remain confidential to the extent that the employer must adequately perform the obligations described above. Any resolution mechanism or investigation report shall be confidential.



**9. Good faith**

- a) The good faith of the parties is essential to the resolution of any situation. The search for the best possible solution, with the collaboration of each of the parties, is preferred in order to reach a fair and equitable resolution for all;
- b) Any person to whom this policy applies who refuses to participate in the investigation provided for in the formal resolution mechanism is liable to a sanction;
- c) A complainant who files a complaint that is found to be malicious, frivolous or done in bad faith is liable to a sanction.

**10. Reprisals**

A person shall not be subject to reprisals for using the mechanisms set out in this policy or for participating in the investigation. Anyone who retaliates is liable to a sanction.

**11. Review and awareness**

This policy will be reviewed periodically or as required. A copy of this policy shall be provided to each new employee. A copy signed by employees, including executives and top management, is placed in their employee file.

**The employee or elected official acknowledges having read and understood the terms of this policy and hereby accepts them.**

---

Signature of the employee or elected official Date

---

Employer's signature Date

**Schedule 1  
Complaint Form**

COMPLAINT FORM		
INFORMATION ABOUT THE COMPLAINANT		
<b>Last name:</b>	<b>First name:</b>	
<b>Job/Function:</b>	<b>ID :</b>	
<b>Department:</b>		
<b>Address:</b>		
INFORMATION ABOUT THE ACCUSED(S)		
<b>Last name:</b>	<b>First name:</b>	
<b>Job/Function:</b>		
<b>Department:</b>		
<b>Last name:</b>	<b>First name:</b>	
<b>Job/Function:</b>		
<b>Department:</b>		
DESCRIPTION OF THE RELATIONSHIP WITH THE ACCUSED		
<input type="checkbox"/> Supervisor	<input type="checkbox"/> Immediate Superior	<input type="checkbox"/> Co-worker/co-worker
<input type="checkbox"/> Subordinate/Employee	<input type="checkbox"/> Citizen	<input type="checkbox"/> Supplier
<input type="checkbox"/> Top management	<input type="checkbox"/> Other:	
INFORMATION ABOUT THE WITNESS(ES)		
<b>Last name:</b>	<b>First name:</b>	
<b>Job/Function:</b>		
<b>Department:</b>		
<b>Last name:</b>	<b>First name:</b>	
<b>Job/Function:</b>		
<b>Department:</b>		
<b>Name:</b>	<b>First name:</b>	
<b>Job/Function:</b>		
<b>Department:</b>		

