

## PROVINCIAL MÉTIS COUNCIL CONDUCT POLICY

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## PREAMBLE

Whereas the MN-S is committed to building a strong government rooted in the distinct needs, rights, and identity of Métis people in Saskatchewan;

Whereas rules of conduct for the Métis people have existed for generations and include the laws of the Prairie including the laws for the colony of St. Laurent and the laws of the Buffalo Hunt;

Whereas being elected as a Member of the Provincial Métis Council is a high honour that comes with responsibilities;

Whereas MN-S Citizens have placed their trust and confidence in the elected Members of the Provincial Métis Council to represent them;

Whereas the Provincial Métis Council is instrumental in supporting the governance of the Métis Nation – Saskatchewan;

Whereas the Provincial Métis Council has committed to the Métis Nation – Saskatchewan to share in the responsibilities of service, protection, upholding the laws, integrity, character and future of the Métis Nation – Saskatchewan and to represent MN-S Citizens, both present and future;

Whereas Members of the Provincial Métis Council recognize that their actions affect the lives of MN-S Citizens – they are keepers of the public trust and must uphold the highest standards of ethical and professional behaviour; and

Whereas ethics and integrity are at the core of public confidence in the Provincial Métis Council and Members are expected to perform their duties and arrange their private affairs in a way that promotes the confidence of MN-S Citizens, that avoids conflicts of interest, and avoids the improper use of influence of their office;

Therefore, the Members of the Provincial Métis Council agree on the following values, grounded in Métis identity, culture, values and language, to guide their work as Members of the Provincial Métis Council:

- Supporting one another with mutual respect, which is a universal principle in Métis governance;
- Respect for all of the things around us - working for the good "in a good way";
- “Integrity”, acting with integrity;

- “Accountability”, being accountable to the citizens for resources used, for decisions made and for decisions not made;
- “Transparency”, not keeping secrets from the citizens;
- “Leadership”, acting as good leaders to the citizens;
- kinship and connectedness to each other, grounded in distinct Métis identity, culture, values and language;
- “Being prepared”, being prepared for meetings and decision making is integral to governing efficiently;
- “Showing up”, showing up at meetings is part of the responsibilities of Members;
- “Collective Responsibility”, being responsible collectively for decisions that are made or not made;
- “Solidarity”, presenting collective decisions in a unified manner; and
- deep and profound listening, so that your speaker knows they have been heard.

English Word	Description	Heritage Michif	Northern Michif	French Michif	Cree	Dene
Respect	Respect for all things/working in a good way	manaachihitoowin	manâcihitowin	rispay	câpâtimisòwin-askiy	Asië nuhênârë hêtîë bék'ësoridli - ëghêdalâda nêzû há
Support	supporting one another	wiichihitoyaahk	wîcihitowin	souportii	sîtoskâtowin	Ëltsêdedí
Integrity	acting with integrity	kwaayesh tootamihk	tâpowikihtamowin	integrijii	kwayask-itâtisiwin	Hêtîë êlth'î Dênë ts'ênênî basî hok'ênâdhîr
Accountability	being accountable to the citizens for resources used, for decisions made and for decisions not made	ashpaymikawiyaahk	kwayeskwâtisowin	trustaab	miyopayihcikêwin	T'ahîsî bêt'orë?asî Dênë bëba ëghêlaghûna, asië bëghâ yatî dé, dât'u êlth'î basî walé
Transparency 3	not keeping secrets from the citizens	taapwayshkihk	kwayeskosiwin	traansparaan	sâpo-nôkosiwin	T'ahî nêltsîsî Dênë tarêlyû yênîrîni, tthênë

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						ts'ën èghèlëna hlë
Leadership	acting as good leaders to the citizens	niikaanihk	nîkânîstamowin	ann shaarzh	onîkânêstamâkêwin	Dënë tthë thëyî, hëtië èlth'î basî
Being prepared	being prepared for meetings and decision making is integral to governing efficiently	kwayachihtaahk	mamanêwin	pripaarii	wawêyîwin	Ts'ëtaghë senëdé nëyatî nonjdhîr dé, asië bëghâ yatî dé ëla bët'orëdhî há honjdhën dé bët'orulá
Showing up	showing up at meetings is part of the responsibilities of Members	aykoota aen ayaahk	ta nôk'siyin	onnvuss montrii	itohtêwin	T'ahuk'ë norët'îsî ëyîr naghjdhîr
Collective Responsibility	being responsible collectively for decisions that are made or not made	pishkaymiwayhk	mâmawî piskihcîkâtêwin	onna toot risponsaab	mâmawî nâkatêyihcîkêwin	Ëla èghëdaláda t'ahî bëghâ yatîsî bët'orëdhî honjdhën dé, Dënë èlts'ëdadî, bëghâ hok'ëch'a de ësot'îlë
Solidarity	acting in solidarity	paray itayhtamihk	mâmawin'towin	on va toot stchean aansaamb	sôhkêyîmitowin	Hëtië èlts'ëdédi bët'a nahuts'îr há
Deep and profound listening	Listening deeply so the speaker knows they have been heard	naatohtamihk	natohtamowin	aykootii	nihtohtamowin	orëstth' á

## PART I GENERAL

### Application

1(1) This Policy applies to all individuals who are:

- (a) elected or appointed to the PMC pursuant to Article 3-1 of the Constitution;
- (b) appointed to the PMC pursuant to Articles 12-2 and 12-2.1 of the Constitution;
- (c) elected members of the Executive described in Articles 4-1 and 4-2 of the Constitution; or

(d) elected as the Regional Representative in a Region as described in Article 5-2 of the Constitution.

(2) Each individual to whom this Policy applies shall sign an acknowledgment that they have received a copy and understand that they are required to comply with it.

### Definitions

2 In this Policy, unless the context otherwise requires:

“CEO” means the Chief Executive Officer of the MN-S appointed by the PMC in accordance with section 7;

“confidential information” includes:

- (a) information, materials, and documents provided or prepared in relation to an *in camera* meeting of the PMC and the discussion relating to those matters that takes place during the *in camera* meeting;
- (b) information, materials and documents that are identified, marked or communicated as privileged or confidential;
- (c) personal information relating to any individual;
- (d) business and legal plans and strategies, intellectual property and other proprietary or sensitive information, including proprietary information relating to MN-S contractors, partners and suppliers;
- (e) legal advice and advice from other professional advisors; and
- (f) documents, plans and communications that are in draft form;

“conflict of interest” means a situation where the personal, private or economic interests of a member of the PMC or a member of their immediate family, including financial interests, political interests, reputational interests and other similar interests, may potentially influence, actually influence, or may reasonably be seen as influencing the member of the PMC in the course of:

- (a) making any decision;
- (b) exercising any power; or
- (c) otherwise performing any function of their office;

“Constitution” means the *Constitution of the Métis Nation – Saskatchewan*, as amended from time to time;

“Ethics Committee” means the Ethics Committee of the PMC appointed in accordance with Article 3-4(a) of the Constitution;



“Executive” means the Executive of the MN-S as described in Article 4 of the Constitution;

“gift” includes a gift of goods or services intended for the personal use or enjoyment of the recipient but does not include:

(a) payments received by a member of the PMC from the MN-S in accordance with an established practice or policy of the MN-S; or

(b) customary hospitality;

“harassment” means any inappropriate conduct, comment, display, action or gesture directed toward an individual:

(a) that is discriminatory, humiliating, intimidating, threatening or sexual in nature; and

(b) that the person engaging in the inappropriate conduct, comment, display, action or gesture knows or reasonably ought to know is unwelcome;

“immediate family member” means a spouse, child, spouse’s child, parent, adoptive parent, sibling or dependant;

“Minister” means a member of the MNLA who is assigned a portfolio pursuant to Article 2-4 of the Constitution;

“MN-S” means the Métis Nation – Saskatchewan;

“MN-S Affiliate” means an entity that is established by the MN-S to provide programs and services to and on behalf of the Métis of Saskatchewan;

“MN-S Citizen” means a person who is registered as a Métis citizen in accordance with *The Métis Nation – Saskatchewan Citizenship Act, 1999*;

“MNLA” means the Métis Nation Legislative Assembly established pursuant to Article 2 of the Constitution;

“person” means any individual, sole proprietorship, partnership, corporation, body corporate, unincorporated organization, firm, Indigenous group or governmental authority;

“personal information” means information about an identifiable individual, and includes an individual’s name, age, address, phone number, social insurance number, income, opinions, performance reviews, disciplinary history, financial information and health information;

“PMC” means the Provincial Métis Council described in Article 3 of the Constitution;



“President” means the President of the MN-S elected in accordance with Article 4 of the Constitution.

### **Interpretation**

3 This Policy must be interpreted on the basis of the following principles:

1. Nothing in this Policy is intended to conflict with the Constitution or any law of the MN-S and in the event of any such conflict, the Constitution or the law of the MN-S prevails to the extent of the conflict.
2. Nothing in this Policy shall be construed so as to abrogate or derogate from any rights or freedoms held by MN-S Citizens or the MN-S that are or may be protected under the *Constitution Act, 1982* or any other domestic or international legal instrument or doctrine.
3. If a general rule is in conflict with a more specific rule, the more specific rule will apply.
4. Where a specific list follows a general statement or is described as being included in the general statement, the specific list is to be interpreted as applying without limiting the generality of the general statement.

### **Periodic review**

4 The PMC must review this Policy after each general election of members to the PMC.

## **PART II PROVINCIAL MÉTIS COUNCIL**

### **Solidarity**

5(1) When the PMC makes a decision, the principle of solidarity requires unity among all members of the PMC when publicly presenting and otherwise commenting on the decision, regardless of whether an individual member voted in favour of the decision.

(2) When the PMC has made a decision, the decision is understood as the decision of the PMC and not of the individual members of the PMC.

### **Collective responsibility**

6(1) Members of the PMC must continue to act in solidarity in accepting and managing the consequences of a PMC decision, including sharing in both successes and failures.

(2) Regardless of the outcome of any PMC decision, the members of the PMC must remain united, and must not direct blame to any entity other than the PMC as a whole.

### **Relationship with CEO**

7 7(1) The CEO is appointed by the PMC and is responsible for the overall management and

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oversight of the day-to-day operations of the MN-S.

(2) The PMC provides direction to the CEO through a formal recorded vote.

(3) The CEO:

(a) is the sole employee of the PMC;

(b) is directly accountable to the PMC, which delegates to the CEO the authority to manage the activities of the MN-S in accordance with the PMC's strategic direction;

(c) has the authority to establish operational policies, make decisions, and undertake any activity to achieve the vision, mission, goals and objectives of the MN-S; and

(d) is the PMC's sole point of contact with the public service of the MN-S government.

#### **Open meetings**

8(1) Subject to subsection (2), PMC meetings are open to the public, although members of the public may be excluded from a meeting or portion of a meeting that is held *in camera* or for failing to comply with the PMC's meeting rules and procedures.

(2) Information, documents and materials shared in an *in camera* meeting or portion of a meeting, and the discussion that occurs in the meeting or portion of a meeting, are kept confidential in order to create an environment in which participants may share ideas and speak openly and frankly about the matters before them.

#### **Meeting rules and procedures**

9 The PMC shall, within 60 days of adopting this Policy, adopt rules and procedures to govern the conduct of its meetings and may amend those rules and procedures from time to time as necessary and appropriate.

### **PART III PMC MEMBERS CONDUCT**

#### **General expectations**

10 The behaviour of members of the PMC reflects on the MN-S and MN-S Citizens and, as such, members of the PMC are expected to conduct themselves in accordance with the highest standard of personal and professional conduct in order to inspire the confidence of MN-S Citizens in the MN-S.

#### **Fiduciary duty**

11 Members of the PMC have a fiduciary relationship with the MN-S out of which fiduciary duties arise and are, accordingly, required to perform their duties honestly, faithfully, to the best





of their ability and with a view to the best interests of the MN-S.

### **Integrity**

12 Members of the PMC must at all times act with integrity, which means they must act lawfully, honestly, ethically and honourably.

### **Leadership**

13(1) Members of the PMC must at all times act in a manner consistent with their leadership role, which means:

- (a) championing the values and history of the Métis people;
- (b) being responsive to, and a guardian of, the interests and aspirations of the MN-S and MN-S Citizens;
- (c) being an agent for change when change is in the interests of the MN-S and MN-S Citizens; and
- (d) promoting unity and not divisiveness.

(2) The conduct of PMC members in their personal capacity that is reasonably likely to materially and negatively impact the reputation of the MN-S, or the performance of the duties of the office of the member of the PMC, is conduct inconsistent with the leadership role of members of the PMC.

(3) No member of the PMC shall engage in:

- (a) any form of violence;
- (b) discriminatory conduct or remarks against any person or group of people;
- (c) acts of harassment or public ridicule against any person; or
- (d) any unlawful activity.

### **Respect**

14 Members of the PMC must at all times act respectfully towards colleagues, MN-S personnel, MN-S Citizens and the general public, which includes:

- (a) observing ceremony and other points of decorum, as applicable;
- (b) recognizing and not interfering with the rights of others;
- (c) tolerating the reasonable opinions of others;
- (d) acting fairly and courteously towards others;
- (e) valuing and not interfering with the roles others play within the MN-S;

(f) abstaining from engagement in any form of violence, discrimination, harassment and other unlawful activity; and

(g) abstaining from use of inflammatory or abusive language.

### **Responsibility and accountability**

15 Members of the PMC must take responsibility for their actions, inactions and decisions and are accountable for them to fellow colleagues and MN-S Citizens, as appropriate.

### **Professionalism**

16 Members of the PMC must act professionally in carrying out the duties of their office, which includes:

(a) attending all PMC and MNLA meetings;

(b) preparing for meetings and other functions by reviewing the applicable document package and other relevant materials in advance;

(c) giving full attention to colleagues and MN-S personnel when they are presenting or speaking;

(d) identifying situations where the work of the member of the PMC may overlap with or affect the work of a colleague and consulting with that colleague in respect of the possible overlap or effect;

(e) refraining from making disparaging remarks toward colleagues or MN-S personnel;

(f) making efficient use of MN-S resources; and

(g) being punctual and respectful of others' time.

### **Acceptable use of MN-S resources**

17(1) Members of the PMC must not:

(a) abuse any personnel, property, information or other resources of the MN-S or any MN-S Affiliate; or

(b) use any personnel, property, phones, computers, email addresses, information or other resources of the MN-S or any MN-S Affiliate for their own personal use or benefit.

(2) Members of the PMC may not ask MN-S staff to run personal errands for them or use MN-S office equipment for personal projects.

## **Conflicts of Interest**

10

### **Written disclosure**

18(1) Immediately upon taking office, each member of the PMC must file a written disclosure

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with the CEO or designate, containing the following information:

- (a) any potential, existing or perceived conflict of interest;
- (b) the names of all immediate family members;
- (c) the sources of financial remuneration that the member of the PMC and their spouse receive as employees or contractors;
- (d) the real property owned by the member of the PMC or their spouse;
- (e) the organizations for which the member of the PMC or any immediate family member is a director, officer, or trustee;
- (f) any business interest that the member of the PMC or immediate family member owns, directly or indirectly, including shares of a corporation and any other ownership interests; and
- (g) any material interest that the member of the PMC or an immediate family member has in an existing or proposed transaction or project with the MN-S, an MN-S Affiliate or in respect of which the MN-S is otherwise involved.

(2) After taking office, each member of the PMC must disclose any material change to the information provided in the written disclosure they filed upon taking office within 15 days.

#### **Declaration of conflict**

19(1) Where a member of the PMC has a conflict of interest in a matter before the PMC in a meeting, the member shall declare that conflict and leave the meeting while the matter is discussed and dealt with by the PMC.

(2) The declaration of a conflict must be recorded in the minutes of the PMC meeting at which it is declared, as well as the time when the member leaves and returns to the meeting.

#### **Gifts and personal benefits**

20(1) While it is recognized that the giving of gifts is a part of Métis culture intended to respect and honour relationships, members of the PMC must not accept, and must make all reasonable efforts to prevent immediate family members from accepting, gifts that may reasonably be seen by MN-S Citizens or members of the general public as given for the purpose of influencing the member of the PMC, or in gratitude for the influence of the member of the PMC.

(2) Members of the PMC may accept gifts, provided that:

- (a) the gift is not cash or cash-equivalent;
- (b) the value of the gift does not exceed \$500; and

(c) the gift is given to the member of the PMC in observance of ceremony, protocol or social convention in connection with their participation in a speaking engagement, technical presentation, business meeting or similar function related to the duties of their office.

(3) Members of the PMC must disclose to the CEO:

(a) any gift accepted by them or an immediate family member with a fair market value in excess of \$500;

(b) all gifts from a single person in a calendar year with a collective value in excess of \$500; and

(c) any gift accepted by them or an immediate family member where such acceptance is contrary to this Policy or where they are uncertain about the value of the gift.

(4) Where a gift is required to be disclosed by this Policy, the disclosure must be in writing and include:

(a) the name of the member of the PMC;

(b) the name of the person who gave the gift;

(c) a description of the gift;

(d) the fair market value of the gift;

(e) the circumstances under which the gift was accepted; and

(f) details of what was done with the gift after it was received.

(5) The CEO may, in the CEO's sole discretion, require that any gift disclosed, or the cash-equivalent of such gift, be relinquished by the recipient to the MN-S.

(6) Gifts received by a member of the PMC on behalf of the MN-S that have cultural, spiritual or historical value or that are otherwise significant to the MN-S must be left with the MN-S when the member of the PMC ceases to hold office.

**Outside employment**

21(1) Members of the PMC may not be gainfully employed or perform for-profit contract work while they hold office, as it is expected that they devote their full-time to their duties and responsibilities as a member of the PMC.

(2) A per diem or honorarium offered to a member of the PMC for presenting or speaking engagements may be accepted for payment to the MN-S.

#### **Obligation of confidentiality**

22(1) Members of the PMC must ensure that confidential information is kept in strict confidence at all times.

(2) No member of the PMC may use or disclose any confidential information, or allow any other person to use or disclose any confidential information, unless that use or disclosure is expressly permitted by this Policy.

(3) Members of the PMC may only use or disclose confidential information in connection with the purpose for which it was collected or produced, and only as may be necessary to perform the duties of their office.

(4) Members of the PMC must not use any confidential information to advance their own interests, regardless of whether the member of the PMC believes use of the information will or will not create a conflict of interest.

(5) Members of the PMC must keep confidential information that is in their possession secure at all times by ensuring, at a minimum, that:

- (a) physical documents are kept in locked filing cabinets when not in use;
- (b) confidential information is not left unattended;
- (c) only computers or other electronic devices and hardware and software provided by MN-S, including MN-S computer domains housing document sharing and email accounts, are used to access, share or distribute confidential information and access to them is limited; and
- (d) password protection and other access controls for electronic devices is implemented.

(6) Members of the PMC must immediately report any unauthorized use or disclosure of confidential information to the MN-S or MN-S Affiliate authority responsible for the confidential information that has been used or disclosed without authorization.

#### **Return of confidential information**

23 A member of the PMC who ceases to hold office must:

- (a) seek and follow direction from the MN-S or the PMC for the return or destruction of confidential information that may then be in the member's possession; and
- (b) not use or disclose any confidential information the member learned during their time serving on the PMC, or that remains in the member's possession.



## **Social Media**

### **Social Media**

24(1) The MN-S recognizes the value of social media as a means for members of the PMC to connect with MN-S Citizens and further recognizes the ubiquity of social media in the everyday lives of members of the PMC and the broader public.

(2) Members of the PMC may use social media, provided their use of social media is at all times consistent with this Policy.

(3) Members of the PMC may use social media in their personal time to connect with friends, family and public life, but must be mindful of how their use of social media in their personal time may impact their reputation as representative of the MN-S, and the reputation of the MN-S as a whole.

(4) Members of the PMC must assume that everything they communicate on social media, by comment or otherwise (such as “liking” or “sharing” a post), may become public and may be associated with the MN-S.

(5) Members of the PMC should not expect privacy when using social media.

(6) A member of the PMC shall not communicate a personal opinion they know or should know is inconsistent with the views or values of the MN-S or the decisions of the PMC taken collectively.

(7) Members of the PMC must assume that all communication through social media is permanent, even after the communication is deleted, so that if a member of the PMC uses social media in a manner that is inconsistent with this Policy and afterwards deletes the offending communication, the member of the PMC may still be found to have violated this Policy in the same way as if the communication had not been deleted, provided reasonable evidence of the communication remains available.

## **Drugs and Alcohol**

### **No impairment**

25 Members of the PMC must not be impaired while performing the duties of their office or, in particular, while interacting with MN-S employees.

### **Consumption**

26(1) Members of the PMC must not consume drugs while performing the duties of their office, unless they are consuming drugs that are prescribed to them by a duly qualified medical professional.

(2) Members of the PMC must not consume alcohol while attending a social or business event as a representative of the MN-S.

#### **Assistance programs and accommodation**

27(1) Members of the PMC that suspect they have a drug or alcohol dependency are encouraged to seek support and treatment and may contact the Ethics Committee for more information about available assistance programs and accommodation.

(2) All inquiries made to the Ethics Committee will remain strictly confidential.

### **Administrative Matters**

#### **Public records of meetings**

28 Records of meetings of the PMC may be made available to MN-S Citizens and the general public for purposes of promoting accountability of the MN-S, provided such records have been redacted so as to remove confidential information.

#### **Public records of remuneration**

29 Amounts paid by the MN-S to members of the PMC as salary, an allowance or as reimbursement for authorized expenses may be made available to MN-S Citizens and the general public for the purpose of promoting financial accountability of the MN-S.

#### **Travel expenses**

30(1) Members of the PMC may request reimbursement for travel expenses in accordance with the *Métis Nation – Saskatchewan Elected Official Travel Policy* incurred in connection with performing the duties of their office, provided the travel expenses:

- (a) are included within an approved budget and have been authorized in writing in advance by the appropriate authority, as determined by an applicable MN-S policy or guideline;
- (b) have actually been incurred by the member of the PMC for themselves and not for any other person;
- (c) are necessary to permit the member of the PMC to perform the duties of their office;
- (d) are reasonable;
- (e) are supported by receipts;
- (f) have not already been, or will not later be, reimbursed by any other person; and
- (g) are not in excess of any applicable maximum reimbursable amount, as determined by an applicable MN-S policy or guideline.

(2) A member of the PMC who receives reimbursement in excess of the amount permitted in accordance with subsection (1) must repay the excess within 30 days of the time when it is identified.

## PART IV MINISTERS

### Role of ministers

31 Ministers are responsible for fulfilling the mandate assigned to them by the President and in so doing shall:

- (a) advocate for funding and resources for the portfolio assigned to them;
- (b) where necessary and appropriate take the lead in proposing legislation to the MNLA relating to their portfolio;
- (c) bring forward to the PMC decision items relating to their portfolio as required by MN-S legislation or policy; and
- (d) provide reports to the President on progress concerning the mandate assigned to them.

## PART V COMPLAINT INVESTIGATIONS AND HEARINGS

### General

#### Definitions

32 In this Part:

“complaint” means:

- (a) a complaint alleging a violation of this Policy or a standard of conduct by:
  - (i) a member of the PMC against another member of the PMC; or
  - (ii) subject to subsection 38(2), an MN-S Citizen; or
- (b) a complaint by an employee of the MN-S against a member of the PMC alleging discrimination, bullying, harassment or lateral violence under the MN-S *Respectful Workplace Policy*;

“hearing panel” means a hearing panel constituted pursuant to section 42;

“Integrity Officer” means MN-S Senior General Counsel or another person designated by the Ethics Committee;

“scandalous, frivolous or vexatious” means, in reference to a complaint, devoid of all merit or without a reasonable possibility of success;

“standard of conduct” means a standard of conduct applicable to members of the PMC pursuant to this Policy or any other MN-S law, regulation, policy or guideline;

“subject member of the PMC” means a member of the PMC who is the subject of a complaint.

### **Confidentiality**

33(1) Although all reasonable efforts will be made to keep confidential the identities of complainants and the details of complaints and inquiries, the identity of the complainant and other details may become evident in the course of an investigation and may be included in related reporting and, as a result, the anonymity of any complainant, or the secrecy of any particular detail of a complaint, cannot be guaranteed.

(2) Materials received or produced in connection with this Part may be disclosed to independent third-party investigators, legal counsel and other external advisors.

(3) Notwithstanding anything to the contrary in this Policy, the Ethics Committee must obtain the prior written consent of the complainant prior to disclosing the identity of the complainant to third party law enforcement authorities, including police.

### **Protection of complainants and others**

34(1) The MN-S will not tolerate or allow a member of the PMC to harass or retaliate against an individual for doing any of the following:

- (a) making a complaint or causing a complaint to be made in good faith;
- (b) participating in or otherwise co-operating in the course of an investigation; or
- (c) refusing to act on an instruction the individual reasonably believes would cause a violation of a standard of conduct or that is otherwise illegal or unethical.

(2) A member of the PMC who harasses or retaliates against an individual for doing any of the things described in subsection (1) violates this Policy and the standards of conduct expected of them.

### **Rights of complainant**

35 A complainant has the following rights:

- (a) subject to section 33, privacy;
- (b) the right to be consulted;
- (c) the right to receive notice that a complaint is dismissed.

### **Bad faith complaints**

36 No person may submit or cause to be submitted any complaint that is scandalous, frivolous or vexatious or otherwise submitted in bad faith and a member of the PMC who does so violates

this Policy and the standards of conduct expected of them.

### **Interim suspension**

37(1) Where a complaint relates to conduct that has resulted in a member of the PMC being charged with an indictable offence, the member of the PMC shall be suspended from office until the conclusion of the criminal proceedings and the proceedings relating to the complaint in accordance with this Part.

(2) A member of the PMC who is suspended pursuant to subsection (1) is suspended without pay, does not have access to any MN-S resources, and may not sit at the table or participate in PMC meetings while suspended.

## **Making a Complaint**

### **Submitting a complaint**

38(1) A member of the PMC may submit a complaint against another member of the PMC to the Integrity Officer.

(2) An MN-S Citizen may submit a complaint against a member of the PMC to the Chair of the Ethics Committee, who may refer the complaint to the Integrity Officer, where circumstances warrant, but this provision ceases to be effective when legislation establishing an MN-S judicial body to settle disputes is enacted and in force.

(3) The CEO shall submit a complaint received from an employee or a complaint made by the CEO to the Integrity Officer.

(4) Complaints should include enough information to allow the Integrity Officer to understand:

- (a) which member of the PMC is being complained of;
- (b) what behaviour of the subject member of the PMC is alleged to be offensive or inappropriate;
- (c) what standard of conduct has allegedly been violated;
- (d) in the case of a complaint by an employee under the MN-S *Respectful Workplace Policy*, details of the alleged discrimination, bullying, harassment or lateral violence that has occurred; and
- (e) what effect the alleged violation has had or may have on the complainant and/or the MN-S or MN-S Citizens.

(5) After receiving a complaint, the Integrity Officer may request additional details from the complainant to clarify the circumstances that led to its submission.

### **Dismissal or referral**



39(1) The Integrity Officer shall:

(a) dismiss a complaint where:

- (i) the complaint is scandalous, frivolous or vexatious or otherwise made in bad faith; or
- (ii) there are alternative systems, processes or forums (including the criminal justice system) that can better address the subject matter of the complaint; or

(b) refer the complaint to the Ethics Committee.

(2) The Integrity Officer shall provide written reasons to support the decision to dismiss or refer a complaint pursuant to subsection (1).

#### **Mediation and investigation**

40 The Ethics Committee shall review a complaint referred to it pursuant to clause 39(1)(b), together with the reasons provided by the Integrity Officer for the referral, within a reasonable time, and thereafter may:

- (a) wherever appropriate and possible, and if the complainant and the subject member of the PMC agree, facilitate a mediation prior to proceeding with a formal investigation by arranging for an impartial mediator and an impartial Lii Vyeu Moond to help the parties resolve the complaint and set their relationship on a good path;
- (b) where mediation is not appropriate or possible or where mediation has failed to resolve the complaint, appoint a third-party investigator to investigate the facts related to the complaint and prepare an investigation report that includes:

- (i) a description of the complaint;
- (ii) the response of the subject member of the PMC to the complaint;
- (iii) a summary of the information obtained from witnesses, if any; and
- (iv) a conclusion as to whether a violation of this Policy or a standard of conduct or of the MN-S *Respectful Workplace Policy* is established and reasons for that conclusion.

#### **Referral to hearing**

41(1) Where the Ethics Committee receives an investigation report that concludes that a violation of this Policy or a standard of conduct or of the MN-S *Respectful Workplace Policy* has occurred, the Ethics Committee shall provide a copy of the report to the subject member of the PMC and the complainant and provide notice to them that a hearing will be required to be held to determine the remedial measures to be ordered in relation to the violation that has been

(2) The MN-S shall provide administrative support to:

- (a) the Ethics Committee in arranging for appointments to a hearing panel when required and implementing and monitoring decisions of a hearing panel; and
- (b) a hearing panel in preparing and delivering notices of hearings and making logistical arrangements for the conduct of hearings.

## **Hearings**

### **Hearing panel**

42(1) Within 14 days of receiving the notice described in section 41, the complainant and the subject member of the PMC shall each name a person who is a member of the MNLA to the hearing panel and those two persons shall name, within 14 days of their appointment:

- (a) a third person who is a member of the MNLA as chair of the hearing panel; and
- (b) two impartial Lii Vyeu Moond, one male and one female, to advise the hearing panel.

(2) If a party fails to advise the Ethics Committee of their nominee to the hearing panel, or if the two nominees fail to name a person to chair the hearing panel or Lii Vyeu Moond to advise the hearing panel within the time provided, the Ethics Committee shall, without delay, name a person to that position.

### **Notice**

43 The hearing panel shall set a date and time for the hearing and provide a notice of hearing at least 30 days prior to that date to the subject member of the PMC and the complainant setting out:

- (a) a statement indicating that a hearing will be held in respect of the complaint, and that the purpose of the hearing is to impose appropriate remedial measures on the subject member of the PMC;
- (b) the time and place of the hearing;
- (c) a summary of the procedures to be followed at the hearing; and
- (d) a statement indicating the hearing may proceed without the subject member of the PMC if they are not present at the time and place appointed for the hearing.

### **Remedial measures**

44(1) Following the conclusion of a hearing, the hearing panel must decide the remedial measures that will be imposed on the subject member of the PMC.

(2) The hearing panel shall only impose remedial measures that are fair, reasonable and proportionate, and rationally connected to one or more of the following objectives:

- (a) denouncing conduct that violates a standard of conduct;
- (b) denouncing harm caused by the violation of a standard of conduct;
- (c) deterring the subject member of the PMC and others from violating a standard of conduct;
- (d) disgorging of profits improperly had from violating a standard of conduct;
- (e) promoting a sense of responsibility in the subject member of the PMC.

(3) In formulating remedial measures that are fair, reasonable and proportionate, the hearing panel:

- (a) may have regard to the disciplinary history of the subject member of the PMC and the application of the principles of progressive discipline; and
- (b) shall have regard to any mitigating factors raised by the subject member of the PMC that may have caused or contributed to the violation of a standard of conduct, including:
  - (i) past trauma endured by the subject member of the PMC;
  - (ii) physical, mental and emotional health conditions of the subject member of the PMC, including drug or alcohol dependency; and
  - (iii) unique systemic or background factors affecting the subject member of the PMC, including systemic racism.

(4) In imposing remedial measures, the hearing panel may order one or more of the following:

- (a) that the subject member of the PMC to do one or more of the following within a specified period of time and to be suspended from the PMC until the order is complied with:
  - (i) provide a public apology to the complainant, the MN-S or other persons adversely affected by their conduct;
  - (ii) appear before the PMC to be publicly censured;
  - (iii) complete a specified remedial program of education or training;
  - (iv) compensate persons that have been adversely affected financially by their conduct;

- (b) that the subject member of the PMC be suspended from the PMC for a specified period of time.

(5) A subject member of the PMC who is suspended from the PMC pursuant to clause (4)(b) or for failure to comply with an order described in clause (4)(a) within the time prescribed for complying is suspended without pay, does not have access to any MN-S resources, and may not sit at the table or participate in PMC meetings while suspended.

(6) If the hearing panel identifies a drug or alcohol dependency as a mitigating factor that may have caused or contributed to the violation of a standard of conduct, the hearing panel shall:

(a) include as a remedial measure a referral to an appropriate addiction assistance program, rooted in Métis culture and values where possible; and

(b) if applicable, make reasonable efforts to accommodate the subject member of the PMC materially in accordance with the MN-S accommodation policies applicable to employees.

(7) The hearing panel may recommend to the President that the subject member of the PMC be relieved of any ministerial assignments made by the President.

#### **Decision and reasons**

45(1) The hearing panel may render its decision immediately following its deliberations at the conclusion of a hearing or may reserve its decision and render it at a later date, provided the decision is rendered within 30 days unless the complainant and the subject member of the PMC agree otherwise.

(2) The hearing panel must provide written reasons for its decision to the subject member of the PMC, the complainant and the Ethics Committee.

#### **Implementation of hearing panel orders**

46 The Ethics Committee, or its designate, is responsible to ensure that the orders made by a hearing panel are enforced.

## **PART VI TRANSITION**

#### **Transition**

47 Any complaint or other matter relating to the conduct of a member of the PMC that was received by the MN-S prior to the effective date of this Policy must be administered in accordance with the MN-S laws, regulations, policies or guidelines that were in place when the complaint or other matter was received.



## Appendix A: PMC Conduct Policy Acknowledgement Form

### Métis Nation – Saskatchewan

#### Provincial Métis Council

I, *[name of PMC member]* acknowledge that I have received a copy of the Provincial Métis Council Conduct Policy, adopted by the Provincial Métis Council on June 25, 2025.

I further acknowledge that I understand that I, as a member of the Provincial Métis Council, and bound by the Policy and must comply with its requirements.

DATED at *[city, town, etc.]*, Saskatchewan, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
*[name of PMC member]*

\_\_\_\_\_  
Witness: *[name of witness]*