

SAWRIDGE FIRST NATION

# *MEMBERS CODE OF CONDUCT ACT*

**Tabled for First Reading: November 23, 2019**

**First Reading: December 14, 2019**

**Second Reading : March 14, 2020**

**Third Reading : March 19, 2022**

**Came in to force: March 19, 2022**

Sawridge First Nation

*Members Code of Conduct Act*

The Sawridge General Assembly enacts as follows:

*Short title*

1. This Act may be cited as the *Members Code of Conduct Act*.

*Code of Conduct*

2. Each Member of the Sawridge First Nation is expected:
  - a. to promote and uphold the integrity and dignity of the First Nation in actions and words;
  - b. to be prompt, courteous, temperate, cooperative, attentive and to maintain a positive attitude toward all officers, employees, members of the First Nation, and the general public;
  - c. to conduct oneself in a manner that will not bring discredit to the First Nation;
  - d. to use equipment, property, or supplies of the First Nation with care and for authorized purposes only;
  - e. rather than criticizing officers or employees of the First Nation or its policies and programs, to provide constructive criticism and suggestions through the channels which are provided, always seeking to make the operations and relationships of the First Nation as harmonious as possible;
  - f. to attempt to communicate openly and positively with employees and officers so as to settle differences in a constructive manner;
  - g. to recognize and respect the human and cultural rights and differences of all guests, residents, members and employees of the First Nation and persons with whom the First Nation has contact, treating all people with respect and dignity;
  - h. to treat the First Nation's lands, resources, and culture in a respectful way, maintaining an environment in which all people who have contact with the First Nation will have the opportunity to be impacted positively from the experience;

- i. to promote the family as the foundation of the Sawridge Community, giving value to community, relationships, cultural survival, the Cree language, and their ancestors;
  - j. to act in a manner which encompasses the traditional values of Love, Honesty, Kindness, Humility, Forgiveness, Respect, Truth, Patience, Contribution, Responsibility, Self-Reliance, Independence, Accountability and Wisdom.
3. In this Act, the following terms are defined:

“casting aspersions” means saying harsh critical things about someone or someone’s character, suggesting that someone is not very good in some way, or suggesting that someone is not as truthful or honest as they seem;

“derogatory personal attacks” means an abusive, insulting, critical or disrespectful remark about someone’s character instead of providing evidence when examining another person’s claims or comments.

### **PENALTIES**

4. Any member who violates any of the provisions of this Act may, after having had the benefits of fair and due process, be subjected to such sanctions as are appropriate and are determined by the Assembly.

#### *Discreditable Conduct*

5. Because all members have a duty to treat members of the First Nation, elected officials, residents who are not members, staff, one another and the public appropriately and without abuse, or improper bullying or intimidation, and to ensure that they take reasonable steps to create an environment free of discrimination and harassment, any member who fails to fulfil this duty is guilty of “discreditable conduct”.
6. Because members have a duty to respect the integrity of the First Nation’s laws, codes, policies and procedures, any reprisal or threat of reprisal against a complainant or anyone for providing relevant information pursuant to the *Dispute Resolution Act* is prohibited, and shall constitute “discreditable conduct”.

7. Failure to observe the terms of the First Nation's laws, codes, policies and procedures is deemed to be "discreditable conduct".

*Penalties for discreditable conduct*

8. After following due process of fairness, the Assembly may determine that a Member is guilty of discreditable conduct and may declare him or her:
  - (i) suspended from participating in Assembly or committees of the Assembly for a period of time not to exceed one year;
  - (ii) removal from membership of a committee, board, or commission.
9. In addition, when a person has been found guilty of discreditable conduct, the Assembly may determine there should be
  - (i) repayment or reimbursement of moneys received;
  - (ii) return of property or reimbursement of its value;
  - (iii) such other sanctions or fines as the Assembly may determine to be appropriate.
10. After a finding of discreditable conduct has been made, and before the Assembly considers the penalty to be applied, the Assembly may consider any apology or statement made to the Assembly.

*Standards of Behavior*

11. Members of the First Nation shall not cast aspersions or make derogatory personal attacks against other members, including elected officials, or employees of the First Nation.
12. Where the person in charge of the place becomes aware of a breach of this Act they should ensure that the offence is documented and reported to the next session of the Assembly.

*Members to Keep First Nation Business Confidential*

13. Subject to Section 14, Members of the Assembly or a governing body shall not speak of matters discussed at any meeting to any person other than another Member or office staff of the First Nation or act in any way which would cause information about the meeting to be disclosed to persons who are not Members or office staff of the First Nation.

14. Members are permitted to speak of matters discussed at meetings and to disclose such matters where they relate to:
  - a. The contents of an Act passed by the Assembly;
  - b. The decision of the Assembly or a governing body that does not include any confidential or personal information, or any financial information of the First Nation;
  - c. Information that was already lawfully publicly available.
15. In the event of a personal attack by a member, the offender must apologize and withdraw the offensive statement(s) immediately.
16. If there is no apology, the person in charge of the place where the attack took place, or an interested person, may ask the offender to leave that place.
17. If the offender refuses to leave the place, the person in charge of the place, or an interested person, may seek the assistance of the police to remove that person and refer the matter to the Elders Commission, or if the matter in question involves an Elders Commissioner, to the Council of the First Nation. The Elders Commission or Council, as the case may be, shall make such decisions or assess such penalties as it shall consider appropriate and just. The decisions of the Elders Commission or Council, as the case may be, may be appealed according to the *Dispute Resolutions Act*.