



SOUTHERN BUTLER PRICE

REPORT TO
Michelle McIsaac
Acting Chief Administrative Officer
City of Trail

In this matter of

INVESTIGATION REPORT

Submitted by Paula Butler,
Southern Butler Price LLP (the "Investigator")

December 6, 2021



Background

On July 21, 2021, I was retained by the City of Trail to conduct an investigation (the “Investigation”) into a complaint brought forward by three City of Trail Councillors, Ms. Carol Dobie, Ms. Eleanor Gattafoni-Robinson and Ms. Colleen Jones, against Ms. Lisa Pasin, Mayor of Trail, alleging that she has engaged in bullying and harassment under the *Violence in the Workplace Policy*, and disrespect and humiliation under the *Council Code of Conduct* (the “Code”). While all three women signed one complaint, I have treated each of the three as separate complaints (“Complaints #1, #2, and #3”), which include additional allegations brought forward during the interview process. As well, I was retained to investigate two complaints brought forward by Mr. Robert Cacchioni, a City of Trail Councillor, against Mayor Pasin (“Complaint #4”) and Mr. Sandy Santori, a City of Trail Councillor (“Complaint #5”), alleging that the two had engaged in harassment, bullying, disrespect and intimidation. The four complainants are collectively referred to in the report as the “Complainants,” and the two respondents are collectively referred to in the report as the “Respondents.” These Complaints, attached at Tab 1, have resulted in this Investigation and in this Investigation report (the “Report”).

Finding of fact regarding the specific allegations set out in the Complaints are contained in the *Findings of Fact* sections below.

Terms of Reference and Legal Framework

The terms of reference of this Investigation are contained in a document entitled *Terms of Reference for an Investigation* (the “Terms of Reference”), dated July 27, 2021, and signed by me and Ms. Michelle McIsaac, Acting Chief Administrative Officer, City of Trail. Under the Terms of Reference, the Investigator is to use any means appropriate to conduct the Investigation, subject to the principles of procedural fairness, including determining who should be interviewed and what, if any, written statements or documents are required. The Investigator shall make findings of fact based on the Investigation. The Terms of Reference set out that the Investigator will determine if bullying and/or harassment occurred and whether the *Council Code of Conduct* (the “Code”) or any other policy and/or the law has been breached. The final determination with respect to the appropriate response to the Complaints rests solely with the City of Trail.

In the present case, I have complied with the requirements of the Terms of Reference.

The Code sets out the following:

1. GENERAL STATEMENT

The Council of the City of Trail is committed to providing responsible and ethical conduct that is essential to providing good governance and leadership. This Code of Conduct applies to the members of the Trail City Council where it is each member’s individual responsibility



to uphold both the letter and the spirit of this Code of Conduct when dealing with every person, including other member of Council, city staff and members of the public.

2. SCOPE

This Policy applies to the members of Trail City Council. The standard of conduct applies to all interactions that members of Council have in relation to City matters whether that be in duly convened meetings, interactions with City staff or the public and includes Council's use of social media ...

4. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT AND STANDARDS ...

A. Integrity

Being honest and demonstrating strong ethical principles and are expected to act with integrity by:

(a) Behaving in a manner that promotes public confidence ...

B. Respect:

Having due regard for others' perspective, wishes and rights; displaying deference for the role of local government in decision making as part of fostering an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others, including a demonstrated understanding of the role of local government. Respect is demonstrated by:

(a) Treating every person, including members of Council, staff and the public with dignity.

(b) Showing consideration for colleagues and staff.

(c) Displaying an awareness and sensitivity around comments and language that may be perceived as derogatory.

(d) Valuing diverse perspectives and debate in decision making.

(e) Acting in a way that is respectful of the roles and responsibilities of the Office of the Mayor and Council

D. Leadership and Collaboration:

An ability to lead, listen to and positively influence others. A coming together to create or meet a common goal through collective efforts. Leadership and collaboration is demonstrated by:

(a) Behaviour that builds and inspires public trust and confidence in local government

(b) Calmly facing challenges and providing thoughtful direction on issues and supporting and enabling colleagues and staff to do the same...

The Council members bringing Complaints have alleged breaches of the City of Trail's *Violence in the Workplace Policy* (the "Policy"). The Policy defines workplace violence as threatening behaviour, verbal or written threats, harassment, verbal abuse and physical attacks. The procedure section of the Policy sets out the scope of the issues covered under it. The list includes four different relationships / issues: employee-to-employee issues, employee issues with supervisor, supervisor issues with employees, and



employee issues with the public. There is no mention of Councillor-to-Councillor issues, or Councillor-to-Mayor issues. I therefore find that the Policy is not applicable to the present Complaints.

As well, the WorkSafeBC definition of bullying and harassment does not apply in this case as Mayor and Council do not fall within the definition of “worker” for the purposes of WorkSafeBC.

While this case involves the application of the Code, there are numerous arbitration cases that assist in defining what constitutes harassment and bullying which can act as a guideline regarding prohibited Code behaviour. The key and often cited case highlighting the significance of the term is *BCGEU v Government of British Columbia*, [1995] BCCA 131 (QL), where Arbitrator Laing stated:

While there is ample evidence that the relationship between the parties to this complaint was a troubled one, I cannot find that the complainant has satisfied the onus on him to establish that harassment occurred, as defined in the collective agreement ... I am not required to make a judgment concerning the niceties of good faith supervisory decisions or actions by the respondents. If they were exercising in good faith their management role, as I am satisfied they were, I cannot conclude in these circumstances that harassment occurred ...

There is one more dimension that should be addressed. As I stated earlier in this award, harassment is a serious subject and allegations of such an offence must be dealt with in a serious way, as was the case here. The reverse is also true. Not every employment bruise should be treated under this process. It would be unfortunate if the harassment process was used to vent feelings of minor discontent or general unhappiness with life in the workplace, so as to trivialize those cases where substantial workplace abuses have occurred. The first responsibility of people in the workplace is to work out their own differences for themselves, if they can. If they cannot, and the threshold test of serious actions with significant consequences is met, this process can and should be invoked where harassment is legitimately believed to have occurred. Otherwise, the process could itself be used as a means of obtaining vengeance against petty irritants or trivial concerns.

The conduct is to be viewed objectively. The subjective motives of the respondent are not determinative, nor are the subjective feelings of the complainant.

The definitions and guidelines contained in the Code, and the case law, will be applied in the *Analysis* sections below.

Methodology

On July 21, 2021, I was retained by the City of Trail to investigate the allegations brought forward by the Complainants.

I interviewed Councillor Cacchioni on August 4, 2021, via videoconference. I also interviewed him on August 20, 2021, via videoconference. He attended both interviews without a support person present.



On August 5, 2021, I interviewed Councillor Gattafoni-Robinson via videoconference. She attended the interview without a support person present. Also on August 5, 2021, I interviewed Ms. Colleen Jones via videoconference. She attended the interview without a support person present. On the same day, I interviewed Councillor Dobie via videoconference. She attended the interview without a support person present.

For the next six weeks, I worked with the Complainants to finalize particulars of their allegations, which were forwarded to the Respondents before they were interviewed.

On October 6, 2021, I interviewed Mayor Pasin via videoconference. She attended the interview without a support person present. I also interviewed her on October 12, 2021, and again, there was no support person present.

On October 8, 2021, I interviewed Councillor Santori via videoconference. He attended the interview without a support person present.

On October 15, 2021, I interviewed Witness A via videoconference. They attended the interview without a support person present.

On October 21, 2021, I interviewed Witness B via videoconference. They attended the interview without a support person present.

On October 22, 2021, I interviewed Witness C via videoconference. I also interviewed them on October 26, 2021. For both interviews, they attended without a support person present.

At the beginning of each interview, the participants were advised of the need for honesty and their obligation to maintain confidentiality regarding the information which formed part of the Investigation process. They were also advised as to the prohibition on retaliation. Each participant acknowledged their understanding of these obligations.

As well, throughout the Investigation process, emails and voicemails were exchanged with some of the participants in this Investigation.

In reaching the conclusions that I have reached in this Report, I have considered all the information provided to me by the Complainants and the Respondents, and by all the Witnesses, except audio recordings made without the knowledge and consent of all participants of the meeting. I have also considered all the documents provided to me by the participants in this process.



Assessment of Credibility

Where material facts were in dispute, in assessing credibility, I have applied the test set out by the British Columbia Court of Appeal in the case of *Faryna v Chorny*, [1952] 2 DLR 354, which is as follows:

The credibility of interested witnesses, particularly in cases of conflict of evidence, cannot be gauged solely by the test of whether the personal demeanor of the particular witness carried conviction of the truth. The test must reasonably subject his story to an examination of its consistency with the probabilities that surround the currently existing conditions. In short, the real test of the truth of the story of the witness in such a case must be its harmony with the preponderance of the probabilities which a practical and informed person would readily recognize as reasonable in that place and in those conditions. Only thus can a Court satisfactorily appraise the testimony of quick-minded, experienced and confident witnesses, and of those shrewd persons adept in the half-lie and of long and successful experience in combining skilful exaggeration with partial suppression of the truth.

In my assessment of the evidence of those interviewed, applying this legal test, and in consideration of the documentary evidence in this case, with respect to the Complainants and the Respondents, I find that they all had an honestly held belief in the evidence they provided. However, the relationships amongst Mayor and Council are so strained that I find that there is a risk of misperception by all parties involved. As an example, with respect to the Complainants, there was a tendency to exaggerate every negative interaction with the Respondents. Once the Complainants believed they were being bullied and harassed by the Respondents, they saw everything through this lens, and this impacted the reliability of their evidence. For instance, the Complainants said that Mayor Pasin bullied and harassed them at the June 3, 2021 closed Council meeting and the June 10, 2021 closed Council meeting. Witness B, who was particularly reliable, called this a “*gross mischaracterization.*” As a result, I have relied on the evidence of the Witnesses, specifically that of Witness A and Witness B, when possible.

Complaints Against Mayor Pasin

Complaint #1 – Councillor Dobie

Findings of Fact

Background

Mayor Pasin was sworn in as the Mayor of the City of Trail in November 2018. Her term ends on October 15, 2022. Councillor Dobie advised that she had been a City Councillor for approximately seven years and was in her second term, which ends in October 2022. Councillor Dobie advised that she knew who Mayor Pasin was in the community, but she did not get to know her better until they were both elected to Council



in 2014. Mayor Pasin advised that she initially met Councillor Dobie at the Kootenay Boundary Regional Hospital when Councillor Dobie wanted to do a Mary Kay fundraiser eight or nine years ago.

Both Mayor Pasin and Councillor Dobie characterized their working relationship as negative. Mayor Pasin called it “*poor*,” and Councillor Dobie called it “*terrible*.” They said they interacted at meetings and occasionally via email. Councillor Dobie said that she rarely interacted with Mayor Pasin. Councillor Dobie described Mayor Pasin as a “*bully*” who is “*vindictive*,” and Mayor Pasin advised that Councillor Dobie “*struggles to understand her role as Councillor*.” They both said they had never socialized outside of work.

I make the following findings of fact regarding the above evidence. Mayor Pasin and Councillor Dobie have been on Council together since 2014. They knew of each other in the community of Trail prior to that. Their working relationship is strained, as evidenced by both of their negative characterizations of it. The two have never socialized outside of work.

Specific Allegations

June 17, 2021 Closed Council Meeting

Councillor Dobie advised that the purpose of the June 17, 2021 closed Council meeting was to reach an agreement on a City of Trail media release regarding the discontinuation of Employee A’s employment. Councillor Dobie alleged that at one point during this meeting, Mayor Pasin “*lost control and went into a tirade of abusive bullying and harassment of Councillor Cacchioni*.” Councillor Dobie advised that Mayor Pasin said, “*Grow up*” and “*You are crazy*” to Councillor Cacchioni, and when positive comments were made regarding Councillor Cacchioni’s contributions to the Regional District of Kootenay Boundary (“*RDKB*”), Mayor Pasin replied, “*Oh Robert, I forgot you saved the world*.” This was “*extremely upsetting*” to Councillor Dobie.

As well, during the June 17, 2021 meeting, Councillor Dobie alleged that Mayor Pasin accused her, Councillor Gattafoni-Robinson and Councillor Jones of collusion regarding an application for a position on the Safety Task Force Committee. Councillor Dobie said this was the second time that Mayor Pasin accused them of such.

Councillor Dobie said that during the June 17, 2021 meeting, Mayor Pasin stated that if Councillor Dobie, Councillor Gattafoni-Robinson and Councillor Jones were not in agreement with publishing Councillor Cacchioni’s name in the media release (because he had been found to have violated the Code with respect to Employee A), they were as culpable as he was.

Finally, Councillor Dobie alleged that when the Complainants spoke to Councillor Cacchioni’s workload, his dedication over a number of years, and the amount of money he had saved the City of Trail at the



RDKB, Mayor Pasin said they were trying to “*whitewash*” the incident of Councillor Cacchioni’s breach of the Code.

Councillor Dobie said that at the June 17, 2021 meeting, Councillor Santori threatened Councillor Cacchioni by suggesting they “*go outside,*” calling him an “*asshole,*” and swearing at him (saying, “*Fuck*”), but Mayor Pasin did not call order, and she did not call people when they were out of line.

Mayor Pasin advised that the purpose of the June 17, 2021 meeting was to decide what Mayor and Council were going to do about the press release involving Employee A. She said she did not lose control, and she was not abusive or engage in bullying. Mayor Pasin advised that she was “*passionate*” during the meeting. She said she did not say that Councillor Cacchioni was crazy, but she had said, “*We would be crazy not to have lawyers involved.*” She said that the three women were saying, “*Don’t put his [Councillor Cacchioni’s] name in the paper.*” Mayor Pasin advised that she either said, “*Be a man*” or “*Man up*” and apologize.

Mayor Pasin agreed that she said, “*Oh Robert, I forgot you saved the world*” in a “*glib*” fashion when he was saying that he did a great job at the RDKB.

Mayor Pasin advised that she did accuse Councillor Dobie, Councillor Gattafoni-Robinson, Councillor Jones and Councillor Cacchioni of collusion at a Safety Task Force Committee meeting in approximately November 2020. She said the four Councillors discussed the situation regarding applicants to the Safety Task Force Committee at a break in the meeting. She said she had to lecture the four of them for having a meeting outside a meeting.

Mayor Pasin said the allegation that she said that if the three female Complainants were not in agreement with publishing Councillor Cacchioni’s name in the media release regarding Employee A, they were as culpable as he was, was taking her comment out of context. She said that not publishing the name left the individual Council members responsible for tolerance and acceptance of Councillor Cacchioni’s comments.

Mayor Pasin advised that she did use the word “*whitewashing*” and that it was related to the conversation about putting Councillor Cacchioni’s name in the paper regarding his breach of the Code and Employee A.

Mayor Pasin advised that on June 17, 2021, Councillor Santori did not suggest that he and Councillor Cacchioni “*go outside,*” call him an “*asshole*” or swear at Councillor Cacchioni. She said she had “*repetitively*” tried to calm down meetings. She said Councillor Santori would listen to her, but nothing could get Councillor Cacchioni to stop his behaviour.

Councillor Gattafoni-Robinson and Councillor Jones both agreed that on June 17, 2021, Mayor Pasin lost control and went into a tirade of abusive bullying and harassment of Councillor Cacchioni. They also



agreed that Mayor Pasin said, “Grow up” and “You are crazy.” They both advised that Mayor Pasin said, “Oh Robert, I forgot you saved the world.”

Councillor Gattafoni-Robinson and Councillor Jones also advised that during the June 17, 2021 meeting, Mayor Pasin accused the three women of collusion regarding the applications for the Safety Task Force Committee. The two women advised that Mayor Pasin said that if they were not in agreement with publishing Councillor Cacchioni’s name in the media release regarding his violation of the Code, they were as culpable as he was.

Councillor Cacchioni advised that Mayor Pasin was “*abusive, threatening, bullying, intimidating and harassing*” at the June 17, 2021 meeting. He said that when he talked about what he did for the RDKB, she said to him, “Oh, I forgot you saved the world.” He also advised that she lost control during the meeting and went into a tirade of abusive bullying and harassment of him. He said Mayor Pasin told him to “grow up” and said, “You’re crazy.” Councillor Cacchioni further advised that she intimidated other Council members by saying that if they did not vote with her, they would be culpable and that they were trying to “whitewash” the situation.

Witness A was present at the June 17, 2021 meeting. They said they would not call Mayor Pasin’s behaviour a “tirade.” They could not recall if Mayor Pasin told Councillor Cacchioni to “grow up,” but noted she might have said it. Witness A advised that they did not write this statement in their notes of the meeting. They also said that both Mayor Pasin and Councillor Santori were encouraging Councillor Cacchioni to take responsibility for his actions regarding his breach of the Code. Witness A said their notes set out that Mayor Pasin stated, “Apologize and own it.”

Witness A said she did not think that Mayor Pasin said, “You are crazy” to Councillor Cacchioni, and Witness A expressed their view that they thought they would have remembered it if it was said. Witness A also advised that they did not remember whether Mayor Pasin said, “Oh Robert, I forgot you saved the world.”

Witness A advised that they did not know whether Mayor Pasin said the Complainants had colluded regarding the Safety Task Force Committee. Witness A advised that collusion did occur and that it was witnessed by one Council member. Witness A said they did not think that Mayor Pasin accused them of collusion on another occasion.

Witness A advised that Mayor Pasin may have stated that if the three female Complainants were not in agreement with publishing Councillor Cacchioni’s name in the media release, they were as culpable as he was. Witness A said that ultimately, Councillor Jones did vote to put his name in the media release, which made enough votes for the motion to pass. Witness A also advised that they thought Mayor Pasin said that the Complainants were trying to whitewash the incident of Councillor Cacchioni’s breach of the Code.



Witness A advised that they did not remember Councillor Santori asking Councillor Cacchioni to “go outside” or calling him an “asshole.” Witness A also said Mayor Pasin did call Council members to order, or tried to, when they were out of line. Finally, Witness A said there was no bullying and harassment at the June 17, 2021 meeting.

Witness B also attended the June 17, 2021 meeting. Witness B said Mayor Pasin “did not enter into a tirade at any point.” Witness B said Mayor Pasin and Councillor Santori were frustrated with Councillor Cacchioni’s unwillingness to take accountability for his role in Employee A leaving the City of Trail. Witness B said there was a clear division on Council, and four members (the Complainants) were inclined to minimize Councillor Cacchioni’s role in this.

Witness B advised that they did not recall whether Mayor Pasin accused the Complainants of collusion. Witness B advised that they did not recall the specifics of what Mayor Pasin said, but the “gist of it was [that Councillor Cacchioni] put in good work elsewhere was not an appropriate response. There needed to be accountability.”

Witness B advised that Councillor Santori did not, at any time during the June 17, 2021 meeting, challenge Councillor Cacchioni to go outside or call him an “asshole.” Witness B said these comments may have been made at a previous meeting. Witness B said, therefore, the issue of Mayor Pasin calling for order in response did not arise. However, Witness B said their opinion was that Mayor Pasin had tried to maintain order. Witness B said, “She has requested Council members restrain themselves and show respect to their colleagues when the discussion has gotten quite heated.”

Witness C advised that Mayor Pasin did not call Councillor Cacchioni “crazy” at the June 17, 2021 meeting. Witness C reported that Mayor Pasin said, “You would be crazy to think ...” Witness C also said Mayor Pasin was “not tyrannical” at the meeting.

Witness C advised that collusion had occurred with respect to the Safety Task Force Committee, but Witness C had no recollection of it being brought up at the June 17, 2021 meeting. Witness C further advised that they believed Mayor Pasin probably said that if Councillor Jones, Councillor Dobie and Councillor Gattafoni-Robinson were not in agreement with publishing Councillor Cacchioni’s name in the media release, they were as culpable as he was. Witness C further stated that Mayor Pasin said the Complainants were trying to “whitewash” Councillor Cacchioni’s breach of the Code.

I make the following findings of fact based upon the above evidence. As stated above, I find that Witness A’s and Witness B’s evidence is dependable, and I have relied on it regarding controverted evidence with respect to the June 17, 2021 closed meeting. I find that at the June 17, 2021 closed meeting, Mayor and Council discussed Employee A’s departure from the City of Trail. I find that the meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point



in the meeting. With respect to the allegation that Mayor Pasin said, *“Grow up”* and *“You are crazy,”* I find that Mayor Pasin did say, *“Grow up”* to Councillor Cacchioni, but she did not say, *“You are crazy.”* I find that, on the basis of Mayor Pasin’s evidence, she said either, *“Be a man”* or *“Man up”* and apologize. Mayor Pasin also said, *“Oh Robert, I forgot you saved the world”* in a *“glib”* voice when Councillor Cacchioni was saying that he did a great job at the RDKB.

I find that the issue of collusion was not brought up at the June 17, 2021 closed meeting. I also find that Mayor Pasin stated that if the Complainants were not in agreement with publishing Councillor Cacchioni’s name in the media release, they were as culpable as he was. Further, I find that when the Complainants talked about Councillor Cacchioni’s workload, dedication and financial savings to the City of Trail, Mayor Pasin said they were trying to whitewash Councillor Cacchioni’s breach of the Code.

In addition, I find that Councillor Santori did not, at any time during the June 17, 2021 meeting, challenge Councillor Cacchioni to go outside, nor did he call him an *“asshole”* or swear. As a result, Mayor Pasin did not have to call for order in response. On the basis of Witness A’s and Witness B’s evidence, I find that Mayor Pasin has tried to maintain order at the Council meetings.

June 3, 2021 and June 10, 2021 Closed Council Meetings

Councillor Dobie alleged that there was *“harassment, bullying, verbal abuse and disrespect”* by Mayor Pasin at the June 3, 2021 and June 10, 2021 closed Council meetings. She said she could only assume that there was an ulterior motive in trying to press Councillor Cacchioni to resign from Council. Councillor Dobie advised that at the June 3, 2021 meeting, there was more talk by Mayor Pasin that Councillor Cacchioni should give up his RDKB job and that he should resign.

Mayor Pasin advised that there was no harassment and bullying at these meetings. Mayor Pasin advised that she never once asked Councillor Cacchioni to resign and said, *“I never brought it up.”* She admitted she did say Council should consider whether Councillor Cacchioni should remain as the RDKB representative, but they voted that they did not want to remove him. She said her actions held no ulterior motive.

Councillor Gattafoni-Robinson and Councillor Jones signed a complaint that sets out that at the June 3, 2021 and June 10, 2021 meetings, Mayor Pasin and Councillor Santori treated Councillor Cacchioni with a high level of disrespect, harassment, bullying and verbal abuse and that they were of the impression that these two individuals were trying to destroy Councillor Cacchioni. They believed there was an ulterior motive in trying to pressure Councillor Cacchioni to resign from Council.

Councillor Cacchioni advised that the purpose of the June 3, 2021 and June 10, 2021 meetings was to discuss Employee A’s departure from the City of Trail. He said Councillor Santori aggressively stated that



Councillor Cacchioni should *"man up and resign."* He said that although this was repeated again and again, Mayor Pasin did nothing.

Witness A advised that there was no bullying and harassment at the June 3, 2021 or June 10, 2021 meetings. Witness A advised that their notes from the June 3, 2021 meeting indicate that Councillor Santori said on two occasions that Councillor Cacchioni should resign, not Mayor Pasin.

When Witness B was asked if there was bullying and harassment at the June 3, 2021 and June 10, 2021 meetings, they said, *"No, not at all. [That is a] gross mischaracterization."* Witness B said the discussion was *"pointed,"* and Mayor Pasin and Councillor Santori were frustrated and pointed in terms of their criticism, but it was *"not abusive."* They said Mayor Pasin did not lose control. Witness B advised, *"I don't recall the Mayor at any time specifically endorsing or supporting Councillor Santori's call for Councillor Cacchioni to resign."*

Witness C said there was no bullying and harassment at the June 3, 2021 and June 10, 2021 meetings.

Based on the above evidence, I make the following findings of fact. I find that at the June 3, 2021 and June 10, 2021 closed Council meetings, Mayor Pasin did not mistreat Councillor Cacchioni, nor did she suggest that he should resign. I find that she did say Council should consider whether Councillor Cacchioni should remain as the RDKB representative. I do not find that her actions held any ulterior motive of trying to get him to resign.

November 2020

Councillor Dobie alleged that in November 2020, Councillor Cacchioni suggested that Council should consider advertising the Chief Administrative Officer ("CAO") position because Employee A was going to

retire. [REDACTED] Councillor Dobie alleged that

Mayor Pasin [REDACTED] berated the Complainants at the following

Council meeting. Councillor Dobie said the result was that [REDACTED]

Mayor Pasin denied berating the Complainants regarding the issue with Employee A. She provided an email exchange dated November 20, 2020, with Councillor Cacchioni regarding his request to advertise for the CAO position *"earlier rather than later."* Mayor Pasin stated that as they were in the middle of an organizational review, they did not know what the terms and conditions of the job would be. In another November 20, 2020 email to Councillor Cacchioni, she wrote:

Here's our sample ad for you to consider. "City of Trail seeking a person that could be a CAO/CFO or maybe a CAO. We are not sure of your start date or what you will be paid because council has not come to a decision. But please keep this opportunity in mind in case



you want to change jobs within the next 12-18 months and move to the beautiful City of Trail."

Mayor Pasin also provided [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

S.22(1)

Councillor Cacchioni advised that he raised the issue of advertising earlier for Employee A's position on behalf of another Council member who felt intimidated by Mayor Pasin. He said that at a subsequent closed meeting, Mayor Pasin accused him of bullying and harassment and suggested that his comments could be interpreted as possible constructive dismissal of Employee A. He said that Mayor Pasin "went ballistic" over this issue.

Witness A said they left the meeting in which Mayor Pasin allegedly berated the Complainants, and they were not privy to the conversation.

Witness B was not present at these meetings.

Witness C advised that they believed they were not present at the meeting in which Mayor Pasin allegedly berated the Complainants.

I find that in November 2020, Councillor Cacchioni brought forward the suggestion that the City of Trail advertise for the CAO position "earlier rather than later." [REDACTED]

S.22(3)(d)

[REDACTED] Mayor Pasin did not agree with Councillor Cacchioni's suggestion, and I find from the above email that she was annoyed with Councillor Cacchioni for suggesting it. I do not find that Mayor Pasin berated the Complainants regarding this issue at the meetings in November 2020.

Negative Comment

Councillor Dobie advised that Mayor Pasin was overheard at a Union of B.C. Municipalities meeting saying that she had a "useless Council, especially the three women." Mayor Pasin said, "I have no recollection of saying that." Councillor Dobie later advised that Councillor Jones was the person who heard Mayor Pasin say she had a "useless Council, especially the three women." Councillor Jones initially advised that the allegation was "not correct at all!" The next day, she advised that Mayor Pasin had said that her Council was useless but did not say, "especially the three women."

I cannot substantiate Councillor Dobie's allegation that Mayor Pasin was overheard saying that she had a useless Council, especially the three women, as Councillor Jones's evidence does not confirm this.



August 16, 2021 Council Meeting

Councillor Dobie advised that at the August 16, 2021 Council meeting, Mayor Pasin made a “*smart comment*” to her. She recalled the comment occurred after Councillor Cacchioni said, “[Councillor Dobie], *aren’t you going to bring something up?*” prompting her to bring forward the controversial matter of making the June 23, 2021 Mayor’s report public regarding Councillor Cacchioni’s behaviour at the RDKB.

Mayor Pasin admitted that at the August 16, 2021 meeting, she said to Councillor Dobie, “*Councillor Dobie, can I expect any more prompting of you?*” after Councillor Cacchioni prompted Councillor Dobie to speak.

A review of the videorecording from the August 16, 2021 meeting shows that Councillor Cacchioni prompted Councillor Dobie to bring something forward by saying, “*Councillor Dobie, didn’t you have a clarification on a motion you were going to make...?*” After the discussion and vote regarding this matter, Mayor Pasin said to Councillor Dobie, “*No more prompting from other Councillors to bring things forward?*”

I find that at the August 16, 2021 meeting, Councillor Cacchioni prompted Councillor Dobie to bring something forward by saying, “*Councillor Dobie, didn’t you have a clarification on a motion you were going to make...?*” After the discussion and vote regarding this matter, Mayor Pasin said to Councillor Dobie, “*No more prompting from other Councillors to bring things forward?*”

Summary of Findings of Fact and Analysis

The following is a summary of the above findings of fact:

- At the June 17, 2021 closed meeting, Mayor and Council discussed Employee A’s departure from the City of Trail. The meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, “*Grow up*” and “*You are crazy*,” Mayor Pasin did say, “*Grow up*” to Councillor Cacchioni, but she did not say, “*You are crazy*.” Mayor Pasin said either, “*Be a man*” or “*Man up*” and apologize. Mayor Pasin also said, “*Oh Robert, I forgot you saved the world*” in a “*glib*” voice when Councillor Cacchioni was saying that he did a great job at the RDKB.
- The issue of collusion was not brought up at the June 17, 2021 closed meeting.
- Mayor Pasin stated that if the Complainants were not in agreement with publishing Councillor Cacchioni’s name in the media release, they were as culpable as he was. When the Complainants talked about Councillor Cacchioni’s workload, dedication and financial savings to the City of Trail, Mayor Pasin said they were trying to whitewash Councillor Cacchioni’s breach of the Code.



- In addition, Councillor Santori did not, at any time during the June 17, 2021 meeting, challenge Councillor Cacchioni to go outside, nor did he call him an “asshole” or swear. As a result, Mayor Pasin did not have to call for order in response. Mayor Pasin has tried to maintain order at the Council meetings.
- At the June 3, 2021 and June 10, 2021 closed Council meetings, Mayor Pasin did not mistreat Councillor Cacchioni, nor did she suggest that he should resign. She did say that Council should consider whether Councillor Cacchioni should remain as the RDKB representative. Her actions did not hold any ulterior motive of trying to get him to resign.
- In November 2020, Councillor Cacchioni brought forward the suggestion that the City of Trail advertise for the CAO position “earlier rather than later.” [REDACTED] Mayor Pasin did not agree with Councillor Cacchioni’s suggestion, and I find from their email exchange that she was annoyed with Councillor Cacchioni for suggesting it. Mayor Pasin did not berate the Complainants regarding this issue at the meetings in November 2020.
- I did not substantiate Councillor Dobie’s allegation that Mayor Pasin was overheard saying that she had a useless Council, especially the three women.
- At the August 16, 2021 meeting, Councillor Cacchioni prompted Councillor Dobie to bring something forward by saying, “Councillor Dobie, didn’t you have a clarification on a motion you were going to make...?” After the discussion and vote regarding this matter, Mayor Pasin said to Councillor Dobie, “No more prompting from other Councillors to bring things forward?”

S. 22(3)(d)

Complaint #2 – Councillor Gattafoni-Robinson

Findings of Fact

Background

Councillor Gattafoni-Robinson is in her fourth term as a City of Trail Councillor, and her term ends in November 2022. She advised that she had known who Mayor Pasin was for a long time, but Councillor Gattafoni-Robinson did not get to know her until she went on Council. She said she very rarely interacted with Mayor Pasin, only when they had Council or other meetings. Councillor Gattafoni-Robinson said Mayor Pasin emailed her if she ever had anything to say. Councillor Gattafoni-Robinson also advised that Mayor Pasin called her once in a while, but not regularly. Councillor Gattafoni-Robinson advised that their working relationship was “not good.” She described Mayor Pasin as an individual who had to be involved in everything. She said they never socialized outside of work.



Mayor Pasin advised that she first met Councillor Gattafoni-Robinson when she joined Council seven years ago. She said she interacted with Councillor Gattafoni-Robinson at Council meetings. She advised that she did not talk to Councillor Gattafoni-Robinson outside of Council meetings unless she bumped into her. Mayor Pasin described her working relationship with Councillor Gattafoni-Robinson as on the “*upside of poor*.” Mayor Pasin said she had not socialized with Councillor Gattafoni-Robinson outside of work.

I find that Mayor Pasin and Councillor Gattafoni-Robinson met and got to know each other when Mayor Pasin joined Council seven years ago. The two women primarily interact at Council meetings. They have a poor working relationship, and they do not socialize outside of work.

Specific Allegations

June 17, 2021 Closed Council Meeting

Councillor Gattafoni-Robinson’s allegations regarding the June 17, 2021 closed Council meeting were substantially the same as those set out in Councillor Dobie’s Complaint. My findings are as follows.

As stated above, I find that Witness A’s and Witness B’s evidence is dependable, and I have relied on it regarding controverted evidence with respect to the June 17, 2021 closed meeting. I find that at the June 17, 2021 closed meeting, Mayor and Council discussed Employee A’s departure from the City of Trail. I find that the meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, “*Grow up*” and “*You are crazy*,” I find that Mayor Pasin did say, “*Grow up*” to Councillor Cacchioni, but she did not say, “*You are crazy*.” I find that, on the basis of Mayor Pasin’s evidence, she said either, “*Be a man*” or “*Man up*” and apologize. Mayor Pasin also said, “*Oh Robert, I forgot you saved the world*” in a “*glib*” voice when Councillor Cacchioni was saying that he did a great job at the RDKB.

I find that the issue of collusion was not brought up at the June 17, 2021 closed meeting. I also find that Mayor Pasin stated that if the Complainants were not in agreement with publishing Councillor Cacchioni’s name in the media release, they were as culpable as he was. Finally, I find that when the Complainants talked about Councillor Cacchioni’s workload, dedication and financial savings to the City of Trail, Mayor Pasin said they were trying to whitewash Councillor Cacchioni’s breach of the Code.

June 3, 2021 and June 10, 2021 Closed Council Meetings

Councillor Gattafoni-Robinson’s allegations regarding the June 3, 2021 and June 10, 2021 closed Council meetings were the same as Councillor Dobie’s allegations. My findings are as follows.



I find that at the June 3, 2021 and June 10, 2021 closed Council meetings, Mayor Pasin did not mistreat Councillor Cacchioni, nor did she suggest that he should resign. I find that she did say Council should consider whether Councillor Cacchioni should remain as the RDKB representative. I do not find that her actions held any ulterior motive of trying to get him to resign.

November 2020

Councillor Gattafoni-Robinson's allegations regarding November 2020 were the same as Councillor Dobie's allegations. My findings are as follows.

I find that in November 2020, Councillor Cacchioni brought forward the suggestion that the City of Trail advertise for the CAO position "earlier rather than later." [REDACTED] Mayor Pasin did not agree with Councillor Cacchioni's suggestion, and I find from the above email that she was annoyed with Councillor Cacchioni for suggesting it. I do not find that Mayor Pasin berated the Complainants regarding this issue at the meetings in November 2020.

October 2020 Council Meeting

Councillor Gattafoni-Robinson alleged that in or about January 2021 at a Council meeting, Councillor Santori became angry at Councillor Cacchioni and asked whether he wanted to "go outside," called him an "asshole," and used the "f-word" amongst other "not nice words." Councillor Gattafoni-Robinson said Mayor Pasin did not say that Councillor Santori was out of order and did not control the meeting.

Mayor Pasin advised that January 2021 was not the correct date. She said that this incident occurred on a different date and that the interaction between Councillor Cacchioni and Councillor Santori occurred during a recess in the meeting, when they were not in a duly convened meeting anymore. She said she was walking out of the room as it happened, and she was "rattled" with what had been going on.

Councillor Dobie also got the date of this meeting wrong, suggesting that it occurred on June 17, 2021. Councillor Dobie said Councillor Santori threatened Councillor Cacchioni by suggesting they "go outside," calling him an "asshole," and swearing at him by saying, "Fuck," but Mayor Pasin did not call order, and she did not call people when they were out of line.

Councillor Cacchioni advised that at the October 26, 2020 Council meeting, there was a vote regarding an appointment to the Safety Task Force Committee. He said when Councillor Santori's choice was not voted in, he called Councillor Cacchioni a "son of a bitch," a "prick" and an "asshole" and eventually stated, "Do you want to go outside with this?" Councillor Cacchioni said Councillor Santori then resigned his position as Chair of the Safety Task Force Committee and stormed out of the meeting.

Councillor Santori admitted that after Councillor Cacchioni raised his voice to Councillor Santori, he said, "Quit being such an asshole" and "You're a real prick" (or "jerk"). He also admitted that he said, "Robert,



do you want to take it outside now?" but advised that it was *"not a threat, not an invitation, just a question."* He denied calling him a *"son of a bitch"* and advised that this was a term he did not use. He said he did resign as Chair of the Safety Task Force Committee during this meeting.

I make the following findings based on the above evidence. I find that at the October 26, 2020 meeting, there was a vote regarding an appointment to the Safety Task Force Committee. The meeting became heated as there was disagreement as to who should be appointed to the committee. During a break in the meeting, Councillor Santori said, *"Quit being such an asshole"* and *"You're a real prick"* to Councillor Cacchioni. I find that he also said, *"Robert, do you want to take it outside now?"* referring to settling the matter with a physical fight.

Complaint #3 – Councillor Jones

Findings of Fact

Background

Councillor Jones advised that she *"maybe met [Mayor Pasin] five years ago."* Councillor Jones said Mayor Pasin did not really communicate with her although *"she is pretty good at getting back to me."* Councillor Jones said Mayor Pasin usually only sent things via email before Council meetings. Councillor Jones advised that they had a *"decent relationship"* and were polite to each other. Councillor Jones advised that Mayor Pasin was *"very calculated."* She said they socialized once when they went to a convention in Vancouver and had a Council dinner.

Mayor Pasin said she was friendly with Councillor Jones's daughter, and she had occasion to meet Councillor Jones about eight or nine years ago. Mayor Pasin said they interacted a bit more than the other Councillors as Councillor Jones would reach out by phone and text. Mayor Pasin said, *"[Councillor Jones's] relationship with me was different."* Mayor Pasin said their relationship was poor now. She said she thought it was better before this Complaint was signed. Mayor Pasin described Councillor Jones as *"very amiable."* Mayor Pasin said she had never socialized with Councillor Jones outside of work.

I find that Mayor Pasin and Councillor Jones met eight or nine years ago, but they did not get to know each other until they were both on Council. They primarily interact at Council meetings, but they have a history of interacting outside of meetings more than other Council members. I find that they had a decent relationship before this Complaint was filed. They have socialized on one occasion outside of work.



Specific Allegations

June 17, 2021 Closed Council Meeting

Councillor Jones's allegations regarding the June 17, 2021 closed Council meeting were substantially the same as those set out in Councillor Dobie's Complaint. My findings are as follows.

As stated above, I find that Witness A's and Witness B's evidence is dependable, and I have relied on it regarding controverted evidence with respect to the June 17, 2021 closed meeting. I find that at the June 17, 2021 closed meeting, Mayor and Council discussed Employee A's departure from the City of Trail. I find that the meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, "Grow up" and "You are crazy," I find that Mayor Pasin did say, "Grow up" to Councillor Cacchioni, but she did not say, "You are crazy." I further find that, on the basis of Mayor Pasin's evidence, she said either, "Be a man" or "Man up" and apologize. Mayor Pasin also said, "Oh Robert, I forgot you saved the world" in a "glib" voice when Councillor Cacchioni was saying that he did a great job at the RDKB.

I find that the issue of collusion was not brought up at the June 17, 2021 closed meeting. I find that Mayor Pasin stated that if the Complainants were not in agreement with publishing Councillor Cacchioni's name in the media release, they were as culpable as he was. Finally, I find that when the Complainants talked about Councillor Cacchioni's workload, dedication and financial savings to the City of Trail, Mayor Pasin said they were trying to whitewash Councillor Cacchioni's breach of the Code.

June 3, 2021 and June 10, 2021 Closed Council Meetings

Councillor Jones's allegations regarding the June 3, 2021 and June 10, 2021 closed Council meetings were the same as Councillor Dobie's allegations. My findings are as follows.

I find that at the June 3, 2021 and June 10, 2021 closed Council meeting, Mayor Pasin did not mistreat Councillor Cacchioni, nor did she suggest that he should resign. I find that she did say that Council should consider whether Councillor Cacchioni should remain as the RDKB representative. I do not find that her actions held any ulterior motive of trying to get him to resign.

November 2020

Councillor Jones's allegations regarding November 2020 were the same as Councillor Dobie's allegations. My findings are as follows.

I find that in November 2020, Councillor Cacchioni brought forward the suggestion that the City of Trail
s. 22(3)(d) advertise for the CAO position "earlier rather than later." [REDACTED]



s. 22(3)(d) [REDACTED] Mayor Pasin did not agree with Councillor Cacchioni's suggestion, and I find from the above email that she was annoyed with Councillor Cacchioni for suggesting it. I do not find that Mayor Pasin berated the Complainants regarding this issue at the meetings in November 2020.

November 6, 2018 Council Meeting

Councillor Jones alleged that at the November 6, 2018 Council meeting, Councillor Santori did not get elected as a Director for the RDKB. She advised that Councillor Santori called Councillor Cacchioni, the successful candidate, a *"bitch, disrespectful and an idiot"* or *"an asshole."* She further alleged that Councillor Santori asked Councillor Cacchioni to step aside during this meeting. Councillor Jones said she phoned Mayor Pasin and told her, *"This shouldn't be happening, you should control that."* She also advised that Mayor Pasin said, *"It only gets worse."* Councillor Jones believed that Mayor Pasin enjoyed the culture of disrespect.

Mayor Pasin advised that at the November 6, 2018 meeting, both Councillor Santori and Councillor Cacchioni put their names forward for the RDKB and Councillor Cacchioni won the vote. Mayor Pasin said, *"There was an outburst,"* but it was too long ago for her to remember what was said. She advised that there were some unkind words said. She also advised that she did speak at the meeting to calm matters down. She said she doubted that Councillor Santori called Councillor Cacchioni a *"bitch."*

Mayor Pasin advised that Councillor Jones did call her or come into her office and said, *"What is going on?"* Mayor Pasin advised that she said, *"I've been here four years, this is not the worst of it."* Mayor Pasin also advised that she found it an *"offensive statement"* that she enjoyed the culture of disrespect.

Councillor Santori advised that Councillor Cacchioni was elected by Council majority as the representative on the RDKB. He said that nothing happened between him and Councillor Cacchioni at the November 6, 2018 meeting. He said that after the result of the vote, he left the room.

Councillor Cacchioni advised that it was at this meeting that Councillor Santori slammed his computer shut, got angry, and then left his computer there and left the room. He said Councillor Santori did not come back for any subsequent meetings. Councillor Cacchioni advised that October 26, 2020, was when Councillor Santori called him a *"son of a bitch, a prick"* and then an *"asshole."* Councillor Cacchioni advised that Councillor Santori said, *"Let's go outside,"* meaning *"we're going to go outside, and I'm going to physically beat you up."* That meeting is addressed earlier in this Report.

I make the following findings of fact regarding the above. I find that there were no disrespectful interactions between Councillor Santori and Councillor Cacchioni at the November 6, 2018 meeting. At this meeting, Councillor Cacchioni was elected as a Director for the RDKB. Councillor Santori was upset that he lost the vote and left the room.



August 16, 2021 Council Meeting

Councillor Jones said that at the August 16, 2021 Council meeting, there was an incident involving Councillor Jones and her nomination by Councillor Cacchioni to replace Mayor Pasin to be the alternate Director on the RDKB. Councillor Jones said the discussion was not respectful, and Mayor Pasin was not controlling the table.

Mayor Pasin advised that she believed Councillor Cacchioni's motion was retaliatory in nature. She said she had a feeling he was going to try to remove her from the alternate RDKB Director position, and as a result, she was prepared with notes as to why she wished to remain as the appointee. She said she delivered a calm, clear address on her position and did not say anything negative about Councillor Jones. She said she did not think the discussion as a whole was disrespectful, nor did she think she was disrespectful to Councillor Jones. She also did not feel that the meeting was out of control.

I reviewed the videorecording of the August 16, 2021 Council meeting. During the meeting, Councillor Cacchioni made a motion to appoint Councillor Jones as the alternate to the RDKB. Councillor Dobie seconded the motion. Councillor Jones was initially uncertain as to whether she would accept the appointment, but she eventually said yes, she would accept it, after Councillor Cacchioni spoke on her behalf. After Councillor Jones spoke, Mayor Pasin said the nomination of Councillor Jones was a *"planned attack against me"* and a *"retaliatory action against me."* Her voice was not raised. Councillor Santori said it had become *"a very toxic, vindictive environment,"* and he was *"ashamed and totally embarrassed."* He said that every single person on Council was *"childish."* Councillor Cacchioni then admonished Mayor Pasin for not bringing *"the gavel down"* on such comments. Mayor Pasin stated that what Councillor Santori had said was fine and that there were conversations going on outside the Council table. Councillor Jones spoke again, and she was upset. She said she could not be a part of the decision, and Councillor Cacchioni withdrew the motion.

I find that the part of the August 16, 2021 Council meeting dealing with Councillor Cacchioni's motion to appoint Councillor Jones as the alternate to the RDKB occurred as outlined in the above paragraph. This part of the August 16, 2021 meeting was tense and somewhat heated. It is clear from listening to this part of the meeting that there is a rift in Council. However, while there is a rift and some of the comments suggest that people are upset with each other, no one raised their voice and no one swore. The Councillors simply expressed their opinions, which were unpopular with some people and albeit, at times, were made in a heated manner, but they did not behave in a disrespectful way.

Discrimination Against the Women

Councillor Jones advised that she felt that there was discrimination against the women at the Council table. She said she was not supported by Mayor Pasin. She also said that Mayor Pasin had told people that her Council was not smart enough to understand certain positions. Councillor Jones later advised that she



did not think that allegation was from her. As well, Councillor Jones said Mayor Pasin told her that people should not believe anything Council says.

Mayor Pasin denied that she treated the women differently than the men on Council. She advised that she had not said her Council was not smart enough to understand certain positions. As well, Mayor Pasin said she did not say that people should not believe anything Council says. She said that made no sense as she would be calling herself and everyone else a liar. With respect to Councillor Jones's allegation that Mayor Pasin had not supported her, she said she had encouraged Councillor Jones to be involved and had made sure Councillor Jones was on committees and on the bargaining committee. Mayor Pasin said that Councillor Jones came to her with frustrations regarding other Council members.

I find that there is not enough evidence brought forward by Councillor Jones to prove that there has been discrimination against the women at the Council table.

Summary of Findings of Fact for Councillor Dobie's, Councillor Gattafoni-Robinson's and Councillor Jones's Complaints and Analysis

The following is a summary of the above findings of fact:

- Mayor Pasin and Councillor Dobie have been on Council together since 2014. They knew each other in the community of Trail prior to that. Their working relationship is strained, as evidenced by both of their negative characterizations of it. The two have never socialized outside of work.
- Mayor Pasin and Councillor Gattafoni-Robinson met and got to know each other when Mayor Pasin joined Council seven years ago. They primarily interact at Council meetings. They have a poor working relationship, and they do not socialize outside of work.
- Mayor Pasin and Councillor Jones met eight or nine years ago, but they did not get to know each other until they were both on Council. The two women primarily interact at Council meetings, but they have a history of interacting outside of meetings more than other Council members. I find that they had a decent relationship before this Complaint was filed. They have socialized on one occasion outside of work.
- At the June 17, 2021 closed meeting, Mayor and Council discussed Employee A's departure from the City of Trail. The meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, "Grow up" and "You are crazy," Mayor Pasin did say, "Grow up" to Councillor Cacchioni, but she did not say, "You are crazy." Mayor Pasin said either, "Be a man" or "Man up" and apologize. Mayor Pasin also said, "Oh Robert, I forgot you saved the world" in a "glib" voice when Councillor Cacchioni was saying that he did a great job at the RDKB.



- The issue of collusion was not brought up at the June 17, 2021 closed meeting.
- Mayor Pasin stated that if the Complainants were not in agreement with publishing Councillor Cacchioni's name in the media release, they were as culpable as he was. When the Complainants talked about Councillor Cacchioni's workload, dedication and financial savings to the City of Trail, Mayor Pasin said they were trying to whitewash Councillor Cacchioni's breach of the Code.
- At the June 3, 2021 and June 10, 2021 closed Council meetings, Mayor Pasin did not mistreat Councillor Cacchioni, nor did she suggest that he should resign. She did say that Council should consider whether Councillor Cacchioni should remain as the RDKB representative. Her actions did not hold any ulterior motive of trying to get him to resign.
- In November 2020, Councillor Cacchioni brought forward the suggestion that the City of Trail advertise for the CAO position "earlier rather than later." [REDACTED] Mayor Pasin did not agree with Councillor Cacchioni's suggestion, and I find from their email exchange that she was annoyed with Councillor Cacchioni for suggesting it. Mayor Pasin did not berate the Complainants regarding this issue at the meetings in November 2020.
- At the August 16, 2021 meeting, Councillor Cacchioni prompted Councillor Dobie to bring something forward by saying, "Councillor Dobie, didn't you have a clarification on a motion you were going to make...?" After the discussion and vote regarding this matter, Mayor Pasin said to Councillor Dobie, "No more prompting from other Councillors to bring things forward?"
- At the October 26, 2020 meeting, there was a vote regarding an appointment to the Safety Task Force Committee. The meeting became heated as there was disagreement as to who should be appointed to the committee. During a break in the meeting, Councillor Santori said, "Quit being such an asshole" and "You're a real prick" to Councillor Cacchioni. He also said, "Robert, do you want to take it outside now?" referring to settling the matter with a physical fight.
- There were no disrespectful interactions between Councillor Santori and Councillor Cacchioni at the November 6, 2018 meeting. At this meeting, Councillor Cacchioni was elected as a Director for the RDKB. Councillor Santori was upset that he lost the vote and left the room.
- The videorecording of the August 16, 2021 Council meeting shows that during the meeting, Councillor Cacchioni made a motion to appoint Councillor Jones as the alternate to the RDKB. Councillor Dobie seconded the motion. Councillor Jones was initially uncertain as to whether she would accept the appointment, but she eventually said yes after Councillor Cacchioni spoke on her behalf. After Councillor Jones spoke, Mayor Pasin said that the nomination of Councillor Jones was a "planned attack against me" and a "retaliatory action against me." Her voice was not raised. Councillor Santori said it had become "a very toxic, vindictive environment," and he was "ashamed

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and totally embarrassed.” He said that every single person on Council was *“childish.”* Councillor Cacchioni then admonished Mayor Pasin for not bringing *“the gavel down”* on such comments. Mayor Pasin stated that what Councillor Santori had said was fine and that there were conversations going on outside the Council table. Councillor Jones spoke again, and she was upset. She said she could not be a part of this decision, and Councillor Cacchioni withdrew the motion.

- This part of the August 16, 2021 meeting was tense and somewhat heated. It is clear from listening to this part of the meeting that there is a rift in Council. However, while there is a rift and some of the comments suggest that people are upset with each other, no one raised their voice and no one swore. The Councillors simply expressed their opinions, which were unpopular with some people and albeit, at times, were made in a heated manner, but they did not behave in a disrespectful way.
- There is not enough evidence to prove that there has been discrimination against the women at the Council table.

The question to be answered in this section is whether any of the above findings constitute a breach of the Code. I find that they do. While most of Mayor Pasin’s actions were not disrespectful, at the June 17, 2021 closed Council meeting, Mayor Pasin said, *“Grow up,” “Be a man”* or *“Man up”* and apologize, and *“Oh Robert, I forgot you saved the world”* in a glib voice. While these are minor breaches of the Code, Mayor Pasin’s comments violated the *“Respect”* definition in the Code in a number of ways, and also violated part of the *“Integrity”* section. First of all, she did not treat Councillor Cacchioni with dignity. As well, she did not show consideration for her colleagues on Council who were upset by these comments. Further, Mayor Pasin did not display an awareness and sensitivity around her comments and language that were perceived by colleagues as derogatory. Finally, she did not behave in a manner that would promote public confidence.

As a result, I find that Mayor Pasin has violated the Code.

Complaint #4 – Councillor Cacchioni

Findings of Fact

Councillor Cacchioni advised that he met Mayor Pasin when she was born, as Mayor Pasin is his second cousin. He said that all of their interaction outside of Council meetings was done by email. He said, *“She doesn’t talk to me.”* He also advised that *“she doesn’t respond to hardly anything.”* Councillor Cacchioni said they had no working relationship. When I asked him to describe her to me, he said, *“She models her*



behaviour on the worst Mayor the City ever had, Mike Martin, CEO of Cominco.” He said that they socialized years ago at family occasions.

Mayor Pasin advised that Councillor Cacchioni is her cousin, and she thought that he is her second cousin. She said she went to high school with two of his six children. She said she interacted with Councillor Cacchioni on an as-needed basis. She said most of the interaction was around Council meetings, and they emailed in between meetings. She said their working relationship was “*poor.*” She said their relationship started going downhill seven years ago when Councillor Cacchioni realized she was more aligned with the Mayor at that time. She described him as someone who had a “*high level of skill and manipulation.*” She said they socialized at a few family events long ago.

I find that Councillor Cacchioni and Mayor Pasin have known each other for many years because of their family connection. Council meetings are the focus of their interactions, and communication between meetings is done by email. I find that their working relationship is poor. They described each other negatively. They socialized at a few family events long ago.

Specific Allegations

January 25, 2021 Council Meeting

Councillor Cacchioni advised that at the January 25, 2021 Governance and Operations Committee meeting, Mayor Pasin was “*abusive*” to him and failed to control the meeting. Councillor Cacchioni said she accused him of bullying, harassment and intimidation with respect to his behaviour towards Employee A. Councillor Cacchioni said that within three days of this meeting, Employee A filed a complaint against him, which he thought Mayor Pasin had a part in filing. [REDACTED]

Mayor Pasin advised that at the January 25, 2021 meeting, Councillor Cacchioni and Employee A had an exchange that led Employee A to file a complaint against Councillor Cacchioni. Mayor Pasin said she was not chairing the meeting, Councillor Santori was. Therefore, she said she was not responsible for controlling the meeting. However, she advised that she told Councillor Cacchioni something like “*This bullying behaviour has to stop. It’s not appropriate.*” She said she had nothing to do with getting Employee A to file a complaint.

I reviewed the videorecording of the January 25, 2021 Governance and Operations Committee meeting. Councillor Santori was chairing the meeting, not Mayor Pasin. The comments made by Mayor Pasin regarding Councillor Cacchioni’s treatment of Employee A earlier in the meeting, were made near the end of the meeting. Mayor Pasin said she was “*colossally disappointed*” in the comments made to Employee A by Councillor Cacchioni. She said, “*We have a Code of Conduct, and as Council members, we do not*



harass and bully staff." She also referred to the comments as an *"old school, disgusting way of speaking to staff."* She did not accuse Councillor Cacchioni of intimidation.

I find that the January 25, 2021 Governance and Operations Committee meeting occurred as outlined in the above paragraph. Mayor Pasin expressed her disappointment in the way Councillor Cacchioni interacted with Employee A earlier in the meeting. She said, *"We have a Code of Conduct, and as Council members, we do not harass and bully staff."* This implied that Councillor Cacchioni harassed and bullied

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Employee A. [REDACTED]

[REDACTED] It is clear that Mayor Pasin was concerned about Councillor Cacchioni's behaviour, and she made comments to that effect.

June 17, 2021 Council Meeting

Councillor Cacchioni's allegations regarding the June 17, 2021 closed Council meeting are substantially the same as those set out in Councillor Dobie's Complaint. My findings are as follows.

As stated above, I find that Witness A's and Witness B's evidence is dependable, and I have relied on it regarding controverted evidence with respect to the June 17, 2021 closed meeting. I find that at the June 17, 2021 closed meeting, Mayor and Council discussed Employee A's departure from the City of Trail. I find that the meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, *"Grow up"* and *"You are crazy,"* I find that Mayor Pasin did say, *"Grow up"* to Councillor Cacchioni, but she did not say, *"You are crazy."* I find that, on the basis of Mayor Pasin's evidence, she said either, *"Be a man"* or *"Man up"* and apologize. Mayor Pasin also said, *"Oh Robert, I forgot you saved the world"* in a *"glib"* voice when Councillor Cacchioni was saying that he did a great job at the RDKB.

June 3, 2021, June 10, 2021, and June 17, 2021 Closed Council Meetings

Councillor Cacchioni advised that at these meetings, Councillor Santori aggressively stated that Councillor Cacchioni should *"man up and resign,"* regarding the comments he made to Employee A. Councillor Cacchioni said that although this was repeated again and again, Mayor Pasin did nothing to stop the comments.

Mayor Pasin said that at these three closed meetings, Councillor Santori said Councillor Cacchioni should resign on two occasions, but she did not know if he said, *"Man up."* Mayor Pasin said she did not intervene because she did not think anything Councillor Santori said was offside. She advised, *"He wasn't out of order asking him to resign."*



Councillor Santori advised that he did not say, “Man up,” but he did ask Councillor Cacchioni to resign two or three times in a matter of a couple of minutes. Councillor Santori said that Councillor Cacchioni “totally” refused to apologize to Employee A.

I find that at some point during the June 3, 2021, June 10, 2021, and June 17, 2021 closed Council meetings, Councillor Santori asked Councillor Cacchioni to resign on three occasions for the comments he made to Employee A. Mayor Pasin took no action to stop Councillor Santori’s comments.

November 2020 Closed Council Meeting

Councillor Cacchioni advised that in November 2020, one Councillor asked him to raise the issue of advertising for Employee A’s position as he was going to be retiring at the end of March 2021. Councillor Cacchioni said that at a subsequent closed meeting, Mayor Pasin accused him of bullying and harassment and suggested that his comments could be interpreted as possible constructive dismissal.

Mayor Pasin denied accusing Councillor Cacchioni of bullying and harassment. She also denied suggesting that his comments could be interpreted as possible constructive dismissal, as she did not know what the threshold was for constructive dismissal.

Witness A advised that the meeting in question was held on November 23, 2020, and it was a closed Council meeting. They said that Mayor Pasin spoke from speaking notes, which they provided to me. The speaking notes show that the issue being discussed was Councillor Cacchioni’s request to advertise early for Employee A’s position. According to the speaking notes, Mayor Pasin said the following:

In discussions with our labour lawyer, she indicated that [REDACTED]

S.14

On the basis of the speaking notes, I find that in the November 2020 closed meeting, Mayor Pasin referred to a legal opinion she obtained which indicated that [REDACTED]

S.14

[REDACTED]

[REDACTED] While these comments implicate Councillor Cacchioni as he was the one who breached the Code in his behaviour towards Employee A and sent the emails about advertising early, I do not find that Mayor Pasin specifically named Councillor Cacchioni, and her comments were couched in reference to a legal opinion obtained.



August 16, 2021 Council Meeting

Councillor Cacchioni advised that at this meeting, he felt personally bullied by Mayor Pasin. He said he made a motion to appoint Councillor Jones as the alternate to the RDKB. He said, *"It seems you can't even make a motion without them accusing you of collaboration and backroom dealings."*

I reviewed the videorecording of the August 16, 2021 Council meeting. During the meeting, Councillor Cacchioni made a motion to appoint Councillor Jones as the alternate to the RDKB. Councillor Dobie seconded the motion. Councillor Jones was initially uncertain as to whether she would accept the appointment, but she eventually said yes after Councillor Cacchioni spoke on her behalf. After Councillor Jones spoke, Mayor Pasin said that the nomination of Councillor Jones was a *"planned attack against me"* and a *"retaliatory action against me."* Her voice was not raised. Councillor Santori said it had become *"a very toxic, vindictive environment,"* and he was *"ashamed and totally embarrassed."* He said that every single person on Council was *"childish."* Councillor Cacchioni then admonished Mayor Pasin for not bringing *"the gavel down"* on such comments. Mayor Pasin stated that what Councillor Santori said was fine and that there were conversations going on outside the Council table. Councillor Jones spoke again, and she was upset. She said she could not be a part of this decision, and Councillor Cacchioni withdrew the motion.

I find that the part of the August 16, 2021 Council meeting dealing with Councillor Cacchioni's motion to appoint Councillor Jones as the alternate to the RDKB occurred as outlined in the above paragraph. This part of the August 16, 2021 meeting was tense and somewhat heated. It is clear from listening to this part of the meeting that there is a rift in Council. However, while there is a rift and some of the comments suggest that people are upset with each other, no one raised their voice and no one swore. The Councillors simply expressed their opinions, which were unpopular with some people and albeit, at times, were made in a heated manner, but they did not behave in a disrespectful way.

Removal From Committees / Positions

Councillor Cacchioni said that Mayor Pasin took him off several committees / positions when he was accused of bullying and harassment of Employee A before the complaint was substantiated or not. He said he was removed from the Columbia River Treaty Committee, the Tanaka Treaty Advisory Committee and as Deputy Mayor. He said that [REDACTED] Mayor Pasin did not put him back into his former positions. Councillor Cacchioni advised that Mayor Pasin demonstrated her bias and discrimination towards him by not treating Councillor Santori as she treated him when Councillor Santori had Complaint #5 filed against him by Councillor Cacchioni.

Mayor Pasin agreed that Councillor Cacchioni was removed from some committees and the Deputy Mayor role. She said she removed him from these jobs as his behaviour towards Employee A was embarrassing, and also because she assumed that if he was not on committees, he would have less interaction with staff.



She said that Councillor Cacchioni needed to engage in some “*reflection*” about his behaviour and advised that he had not apologized to Employee A or to Council. She said she did not think he was “*worthy*” of the jobs. Finally, she advised that she did not remove Councillor Cacchioni from the RDKB as she did not have the discretion to do so.

Mayor Pasin said she did not take any action when Councillor Santori had a complaint filed against him because she had complaints filed against her at the same time, and she stated, “*I’m not going to take any action until this is resolved.*” She also said that the circumstances were different because the first complaint was Council member to staff, whereas the other five Complaints were Council member to Council member.

I find that Councillor Cacchioni’s allegations about his removal from committees and the Deputy Mayor position are correct in that once Employee A filed a complaint against him, he was removed from these tasks. I find that Mayor Pasin did not put him back on the committees or into the Deputy Mayor position when the investigation into his behaviour was over. [REDACTED]

I find that Mayor Pasin did not exercise her discretion to remove Councillor Santori from committees when a Complaint was filed against him by Councillor Cacchioni. I find that she did not exercise her discretion as she had four Complaints filed against her at the same time.

June 28, 2021 Council Meeting

Councillor Cacchioni alleged that at the June 28, 2021 meeting, Mayor Pasin verbally accused him of bullying, harassing and intimidating staff at the January 19, 2021 East End Committee meeting. He said a subsequent investigation at RDKB demonstrated that her claims were unfounded, and he continues to represent the City of Trail at the RDKB.

Mayor Pasin advised that she did refer to “*bullying*” by Councillor Cacchioni at the June 28, 2021 meeting. She said that she was speaking to reconsideration of his RDKB appointment at the time. She said she used the word during her introduction, and it was used again when referring to Ms. Diane Langman’s email (Chair of the RDKB). Mayor Pasin said that “*bullying*” was the word Ms. Langman used in her email, which Mayor Pasin referenced. Mayor Pasin advised that she said, “*She cited many words in the letter [email] citing bullying and intimidation of the Board, confrontational behaviour, that trust is eroding, that the functionality and confidence of the Board is eroding.*”

I reviewed the videorecording of the June 28, 2021 Council meeting. At that meeting, Mayor Pasin brought up that she had received a letter from Ms. Langman. This letter was regarding Councillor Cacchioni and his alleged inappropriate behaviour at the RDKB. According to Mayor Pasin, the letter addressed “*bullying*



and intimidation of the Board” and his “confrontational behaviour.” Mayor Pasin said that his approach was “in dispute.” Mayor Pasin asked the Council to reconsider Councillor Cacchioni’s RDKB appointment.

I find that at the June 28, 2021 Council meeting, Mayor Pasin raised that she had received a letter from Ms. Langman regarding Councillor Cacchioni’s behaviour at the RDKB. Mayor Pasin referred to the behaviour as *“bullying and intimidation”* of the Board and as *“confrontational behaviour,”* and she referred to Ms. Langman’s letter. Mayor Pasin asked Council to reconsider Councillor Cacchioni’s RDKB appointment.

Rude Comments and Facial Gestures

Councillor Cacchioni alleged that Mayor Pasin continued to make rude comments and facial gestures virtually every time he spoke on issues at either committee meetings or Council meetings.

Mayor Pasin denied this and said this allegation was *“total garbage.”* She said she could not say that she did not show frustration at times, but she tried to keep a stone face. She said, *“I don’t make rude comments and facial gestures.”*

After reviewing several video recordings of Council meetings for this Report, I did not see Mayor Pasin make any rude facial gestures when Councillor Cacchioni or others were speaking. As well, she did not make rude comments virtually every time he spoke.

Summary of Findings of Fact and Analysis

The following is a summary of the above findings of fact:

- Councillor Cacchioni and Mayor Pasin have known each other for many years because of their family connection. Council meetings are the focus of their interactions, and communication between meetings is done by email. Their working relationship is poor, and they described each other negatively. They socialized at a few family events long ago.
- At the January 25, 2021 Governance and Operations Committee meeting, Councillor Santori was chairing the meeting, not Mayor Pasin. The comments made by Mayor Pasin regarding Councillor Cacchioni’s treatment of Employee A earlier in the meeting, were made near the end of the meeting. Mayor Pasin said she was *“colossally disappointed”* in the comments made to Employee A by Councillor Cacchioni. She said, *“We have a Code of Conduct, and as Council members, we do not harass and bully staff.”* She also referred to the comments as an *“old school, disgusting way of speaking to staff.”* She did not accuse Councillor Cacchioni of intimidation. [REDACTED]

s.22(3)(d)

[REDACTED] It is clear that Mayor Pasin was concerned about Councillor Cacchioni’s behaviour, and she made comments to that effect.



- At the June 17, 2021 closed meeting, Mayor and Council discussed Employee A's departure from the City of Trail. The meeting was heated, as Mayor Pasin was frustrated with Councillor Cacchioni not taking responsibility for his role in Employee A leaving the City of Trail. Although Mayor Pasin was passionate, she did not enter into a tirade at any point in the meeting. With respect to the allegation that Mayor Pasin said, "Grow up" and "You are crazy," Mayor Pasin did say, "Grow up" to Councillor Cacchioni, but she did not say, "You are crazy." Mayor Pasin said either, "Be a man" or "Man up" and apologize. Mayor Pasin also said, "Oh Robert, I forgot you saved the world" in a "glib" voice when Councillor Cacchioni was saying that he did a great job at the RDKB.
- At some point during the June 3, 2021, June 10, 2021, and June 17, 2021 closed Council meetings, Councillor Santori asked Councillor Cacchioni to resign on three occasions for the comments he made to Employee A. Mayor Pasin took no action to stop Councillor Santori's comments.
- At the November 2020 closed meeting, Mayor Pasin referred to a legal opinion she obtained which indicated that [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] While these comments implicate Councillor Cacchioni as he was the one who breached the Code in his behaviour towards Employee A and he sent the emails about advertising early, Mayor Pasin did not specifically name Councillor Cacchioni and her comments were couched in reference to a legal opinion obtained.
- During the August 16, 2021 meeting, Councillor Cacchioni made a motion to appoint Councillor Jones as the alternate to the RDKB. Councillor Dobie seconded the motion. Councillor Jones was initially uncertain as to whether she would accept the appointment, but she eventually said yes after Councillor Cacchioni spoke on her behalf. After Councillor Jones spoke, Mayor Pasin said the nomination of Councillor Jones was a "planned attack against me" and a "retaliatory action against me." Her voice was not raised. Councillor Santori said it had become "a very toxic, vindictive environment," and he was "ashamed and totally embarrassed." He said that every single person on Council was "childish." Councillor Cacchioni then admonished Mayor Pasin for not bringing "the gavel down" on such comments. Mayor Pasin stated that what Councillor Santori had said was fine and that there were conversations going on outside the Council table. Councillor Jones spoke again, and she was upset. She said she could not be a part of this decision, and Councillor Cacchioni withdrew the motion.
- This part of the August 16, 2021 meeting was tense and somewhat heated. It is clear that there is a rift in Council. However, while there is a rift and some of the comments suggest that people are upset with each other, no one raised their voice and no one swore. The Councillors simply expressed their opinions, which were unpopular with some people and albeit, at times, were made in a heated manner, but they did not behave in a disrespectful way.

S. 14



- Councillor Cacchioni's allegations about his removal from committees and the Deputy Mayor position are correct in that once Employee A filed a complaint against him, he was removed from these tasks. Mayor Pasin did not put him back on the committees or into the Deputy Mayor position when the investigation into his behaviour was over. [REDACTED]

S.22(3)(d)

- Mayor Pasin did not exercise her discretion to remove Councillor Santori from committees when a complaint was filed against him by Councillor Cacchioni. She did not exercise her discretion as she had four complaints filed against her at the same time.
- I find that at the June 28, 2021 Council meeting, Mayor Pasin raised that she had received a letter from Ms. Langman regarding Councillor Cacchioni's behaviour at the RDKB. Mayor Pasin referred to the behaviour as "*bullying and intimidation*" of the Board and as "*confrontational behaviour*," and she referred to Ms. Langman's letter. Mayor Pasin asked Council to reconsider Councillor Cacchioni's RDKB appointment.
- Mayor Pasin did not make any rude facial gestures when Councillor Cacchioni or others were speaking. As well, she did not make rude comments virtually every time he spoke.

The question to be answered in this section is whether any of the above findings constitute a breach of the Code. I find that they do. As outlined above, most of Mayor Pasin's actions were not disrespectful. However, at the June 17, 2021 closed Council meeting, Mayor Pasin said, "*Grow up*," "*Be a man*" or "*Man up*" and apologize, and "*Oh Robert, I forgot you saved the world*" in a glib voice. While these are minor breaches of the Code, Mayor Pasin's comments violated the "*Respect*" definition in the Code in a number of ways, and also violated part of the "*Integrity*" section. First of all, she did not treat Councillor Cacchioni with dignity. As well, she did not show consideration for her colleagues on Council who were upset by these comments. Also, Mayor Pasin did not display an awareness and sensitivity around her comments and language that were perceived by colleagues as derogatory. Finally, she did not behave in a manner that would promote public confidence.

As a result, I find that Mayor Pasin has violated the Code.



Complaint Against Councillor Santori

Complaint #5 – Councillor Cacchioni

Findings of Fact

Background

Councillor Cacchioni advised that he met Councillor Santori when he was a baby as the two lived on the same street. Councillor Cacchioni advised that he had worked with Councillor Santori on Council for seven years and that they only interacted during Zoom Council meetings. He said Councillor Santori's relationship with him was *"brutal, oppressive,"* but his relationship with Councillor Santori was fine. Councillor Cacchioni advised that Councillor Santori was *"a bully and a blowhard and a liar."* He also said Councillor Santori was *"very adept at talking."* Councillor Cacchioni advised that he had never socialized with Councillor Santori after work.

Councillor Santori advised that he had known Councillor Cacchioni since he was a child and that Councillor Cacchioni lived 1/8th of a mile from his home. Councillor Santori said he interacted with Councillor Cacchioni at regular Council meetings and their interaction was limited to Council business only. Councillor Santori said their working relationship was *"okay."* He said Councillor Cacchioni could be a *"very contentious person."* Councillor Santori advised that he did stand up to Councillor Cacchioni and that he *"resents"* that. He described Councillor Cacchioni as *"arrogant, disrespectful, loud, lacks compassion, non-compromising ..."* Councillor Santori said he had never socialized with Councillor Cacchioni outside of work.

I find that Councillor Cacchioni and Councillor Santori have known each other since Councillor Santori was very young, as the two lived close to one another in Trail, B.C. Councillor Cacchioni and Councillor Santori have been on Council together for seven years. They primarily interact at Council meetings. I find that their working relationship is poor. They both described each other in negative terms. I find that they have never socialized outside of work.

Specific Allegations

October 26, 2020 Council Meeting

Councillor Cacchioni alleged that Councillor Santori became angry when his choice for the Safety Task Force Committee was not appointed to the committee. Councillor Cacchioni alleged that Councillor Santori called him *"a son of a bitch,"* a *"prick"* and an *"asshole"* and eventually stated, *"Do you want to go outside with this?"*



Councillor Cacchioni's allegations were similar to Councillor Gattafoni-Robinson's allegations. My findings are as follows.

I find that at the October 26, 2020 meeting, there was a vote regarding an appointment to the Safety Task Force Committee. The meeting became heated as there was disagreement as to who should be appointed to the committee. During a break in the meeting, Councillor Santori said, "*Quit being such an asshole*" and "*You're a real prick*" to Councillor Cacchioni. I find that he also said, "*Robert, do you want to take it outside now?*" referring to settling the matter with a physical fight.

June 3, 2021, June 10, 2021 and June 17, 2021 Closed Council Meetings

Councillor Cacchioni advised that the purpose of these three meetings was to discuss Employee A's departure from the City of Trail. Councillor Cacchioni said that during these meetings, Councillor Santori aggressively stated that Councillor Cacchioni should "*man up and resign*" on five or six occasions. Councillor Cacchioni advised that at the June 17, 2021 meeting, Councillor Santori made rude facial gestures, snide comments and laughed while Councillor Cacchioni was speaking.

Councillor Santori said that he asked for Councillor Cacchioni's resignation at these meetings. He advised that he said it on two or three occasions during these meetings. Councillor Santori said he was concerned because Councillor Cacchioni refused to apologize for his behaviour with Employee A.

Councillor Santori said that he may have smirked, shook his head and laughed when Councillor Cacchioni was talking. He said, "*Politicians shake their head, laugh. We're not in Kindergarten here.*" He further elaborated that he was shaking his head in disbelief and said, "*Somebody has to defend staff and Mayor.*" He also admitted he may have spoken and waved his hands while Councillor Cacchioni was talking.

Witness A advised these three meetings were the most contentious and difficult they had experienced. Witness A advised that their notes of these three meetings indicate that Councillor Santori suggested that Councillor Cacchioni resign on two occasions. Witness A said they did not remember whether Councillor Santori said, "*Man up and resign*" on another occasion.

Councillor Jones advised that Councillor Santori made comments to Councillor Cacchioni to step down at the June 17, 2021 meeting, and Councillor Jones could tell that Mayor Pasin supported it.

I make the following findings of fact regarding the above evidence. The purpose of the June 3, 2021, June 10, 2021, and June 17, 2021 closed Council meetings was to discuss Employee A's departure from the City of Trail. I find that during these meetings, Councillor Santori told Councillor Cacchioni to resign on two occasions, and to "*man up and resign*" on one occasion. Councillor Santori also smirked, shook his head, laughed, spoke and waved his hands while Councillor Cacchioni was talking.



June 28, 2021 Closed Council Meeting

Councillor Cacchioni advised that at the June 28, 2021 closed Council meeting, Councillor Santori admitted he was in breach of the Code and asked Council to sanction him (which Councillor Cacchioni audio recorded without the permission/knowledge of the people at the meeting). Councillor Cacchioni advised that after he released the audio recording to Ms. McIsaac, Councillor Santori called the person or persons who released the audio recording to her as “cowards” in an angry and confrontational voice.

Councillor Santori advised that Councillor Cacchioni set a trap for him. Councillor Santori advised that he said, *“If Robert wants to bring a complaint, I’ll deal with it. However, if it makes all of us back to serving the public, fine, I’ll plead guilty to breaching the Code of Conduct.”* Councillor Santori denied calling the person or persons who released the audio recording of the June 28, 2021 meeting “cowards,” but he said this word came up and he believed it was Mayor Pasin who said it. Councillor Santori advised, *“I think it is a cowardly act.”*

Mayor Pasin advised that Councillor Santori did not say the person or persons who released the audio recording were cowards. She also advised that she did not call anyone a “coward” and did not use that term in any meeting.

Councillor Gattafoni-Robinson advised that she does not recall “cowards” being said by anyone. Councillor Jones said that she has heard “cowards,” and was “pretty sure” it was Councillor Santori. Councillor Dobie said that she *“can’t say 100% for sure that I hear that.”*

I make the following findings of fact regarding the above. At the June 28, 2021 closed Council meeting, Councillor Santori admitted that he breached the Code. This was audio recorded by Councillor Cacchioni without the permission/knowledge of the people at the meeting. I find that once the audio recording was released to Ms. McIsaac, Councillor Santori did not call the person or person who released the audio recording as “cowards.”

Reports

Councillor Cacchioni advised that Mayor Pasin brought forward a Staff Report dated June 23, 2021, regarding Councillor Cacchioni’s conduct at the RDKB. It was passed at a later meeting to make the report public. Councillor Santori was against making the report public. Councillor Cacchioni advised that Councillor Santori wanted the complete harassment investigation report regarding Councillor Cacchioni released to the public.

Councillor Santori said that both reports would have made Councillor Cacchioni look bad if released to the public. He said, *“How I vote is my prerogative, [and that is] not a violation of the Code.”*



There is no dispute that Councillor Santori voted against making a June 23, 2021 report public, and voted in favour of releasing a complete copy of the harassment investigation report regarding Councillor Cacchioni to the public.

Summary of Findings of Fact and Analysis

The following is a summary of the above findings of fact:

- Councillor Cacchioni and Councillor Santori have known each other since Councillor Santori was very young, as the two lived close to one another in Trail, B.C. Councillor Cacchioni and Councillor Santori have been on Council together for seven years. They primarily interact at Council meetings. Their working relationship is poor. They both described each other in negative terms. They have never socialized outside of work.
- At the October 26, 2020 meeting, there was a vote regarding an appointment to the Safety Task Force Committee. The meeting became heated as there was disagreement as to who should be appointed to the committee. During a break in the meeting, Councillor Santori said, *"Quit being such an asshole"* and *"You're a real prick,"* to Councillor Cacchioni. He also said, *"Robert do you want to take it outside now?"* referring to settling the matter with a physical fight.
- The purpose of the June 3, 2021, June 10, 2021 and June 17, 2021 closed Council meetings was to discuss Employee A's departure from the City of Trail. During these meetings, Councillor Santori told Councillor Cacchioni to resign on two occasions, and to *"man up and resign"* on one occasion. Councillor Santori also smirked, shook his head, laughed, spoke and waved his hands while Councillor Cacchioni was talking.
- At the June 28, 2021 closed Council meeting, Councillor Santori admitted that he breached the Code. This was audio recorded by Councillor Cacchioni without the permission/knowledge of the people at the meeting. I find that once the audio recording was released to Ms. McIsaac, Councillor Santori did not call the person or person who released the audio recording as *"cowards."*
- Councillor Santori voted against making a June 23, 2021 report public, and voted in favour of releasing a complete copy of the harassment investigation report regarding Councillor Cacchioni to the public.

The question to be answered in this section is whether Councillor Santori breached the Code in his behaviour towards Councillor Cacchioni. I find that he did. Saying, *"Quit being such an asshole"* and *"You're a real prick"* clearly breaches the *"Respect"* section of Code. Councillor Santori did not treat Councillor Cacchioni with respect at the October 26, 2020 meeting. Councillor Santori did not show consideration for colleagues and did not display an awareness and sensitivity around comments and



language that were derogatory. Further, he did not act in a way that was respectful of the roles and responsibilities of the Office of the Mayor and Council.

As well, Councillor Santori's comment stating, "*Robert, do you want to take it outside now?*" referring to settling their disagreement with a physical fight, was very inappropriate. Councillor Santori definitely did not treat Councillor Cacchioni with dignity and respect when he made that comment.

Additionally, during the June 3, 2021, June 10, 2021, and June 17, 2021 meetings, Councillor Santori told Councillor Cacchioni to resign on two occasions, and to "*man up and resign*" on one occasion. Councillor Santori also smirked, shook his head, laughed, spoke and waved his hands while Councillor Cacchioni was talking. These actions, taken together, show a lack of dignity and respect towards Councillor Cacchioni. Councillor Santori did not show consideration for his colleague.

Finally, Councillor Santori's actions were behaviour that would not promote public confidence.

Conclusion

Both Mayor Pasin and Councillor Santori breached the Code. Another member of Council was found in 2021 to have breached the Code. This Council is very fractured, and I am concerned that this Report will result in more disrespectful and disruptive behaviour. I hope that the parties involved will move forward from this Investigation and rebuild relationships so that they are able to work together productively.

All of which is respectfully submitted.

Paula Butler

Dated: December 6, 2021



SOUTHERN
BUTLER PRICE

TAB 1

COMPLAINTS

**CITY OF TRAIL
COUNCIL POLICY MANUAL**

**Bullying & Harassment in our Violence in the Workplace Policy
Disrespect and Intimidation in our Code of Conduct Policy**

June 22, 2021

Persons Completing the Form: Carol Dobie
Eleanor Gattafoni-Robinson
Colleen Jones

Department: City of Trail Council

Position: Councillors

Supervisor: not applicable

Details regarding the Incident: June 17, 2021, 11:30 am – 2:30 pm

Location: Zoom Meeting

People Involved: Mayor Lisa Pasin

Witnesses: Michelle McIsaac, Acting CAO
Paul Butler, Councillor
Sandy Santori, Councillor
Barry Williamson, Solicitor
Young Anderson Law Firm

Description of Incident: June 17, 2021

Although some bullying and harassment has been evident since the onset of Council, November 2018, it is the level of disrespect and severe condemnation during the June 17th meeting that finally led us to submit a claim that Mayor Pasin is in contravention of both our Violence in the Workplace Code and our Code of Conduct Policy.

Attendees at this meeting included Mrs. Michelle McIsaac, Acting CAO, Mr. Barry Williamson, Solicitor, Young Anderson Law Firm, Mayor Pasin, and Councillors Paul Butler, Robert Cacchioni, Carol Dobie, Eleanor Gattafoni-Robinson, Colleen Jones and Sandy Santori.

Details

Details

The purpose of this meeting was to reach agreement on a City of Trail media release. The subject of the media release was the discontinuation of employment, at the City of

s. 22(3)(d) Trail, by our CAO/CFO, [REDACTED] and also the reporting of Councillor Cacchioni's breach of the City's Code of Conduct Policy. As a result of a claim breaching the City's Code of Conduct Policy, and bullying and harassment charge under the City's

s. 22(3)(d) Violence in the Workplace Code, [REDACTED] against Councillor Cacchioni, a full and extensive investigation occurred. The Mayor made the decision, without any consultation or input from Council, to refer the incident to the City's legal firm, Young Anderson. It was their opinion that this claim be managed by an independent law firm that specialized in these incidents. The Mayor was provided with a list of three potential law firms, and she decided to contract the investigation to Southern Butler Price. At that point Council was informed of the breach and he was being charged under our Violence in the Workplace Code and also our Code of Conduct, and the precedent/process she had established. The investigation was a lengthy process which consisted of singular

s. 22(3)(d) interviews with all Councillors, [REDACTED] This culminated with a lengthy report which outlined the lawyer's process and decision. [REDACTED]

s. 22(3)(d) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

During two hours of discussion at the June 17th meeting, Councillor Santori repeatedly bullied and harassed Councillor Caachioni. Mayor Pasin lost control and went into a tirade of abusive bullying and harassment of Councillor Cacchioni.

The severity of her bullying and harassment at Councillor Cacchioni included these statements: **grow up, you are crazy**, and when positive discussions were presented regarding Robert's contributions to the Regional District, she replied: **"Oh Robert, I forgot you saved the world."** These three statements were made one after the other.

With regard to our claim of bullying and harassment under the City's policy of Violence in the Work Place, and our Code of Conduct Policy against Mayor Pasin, we submit the following from the June 17th meeting.

...For a second time (first was at a previous meeting) she accused four of us (Councillors Caachioni, Dobie, Gattafoni-Robinson and Jones) of coercion regarding an application for a position on the Safety Task Force. This accusation is entirely untrue. There was **absolutely no coercion between us.**

...She stated that if we were not in agreement with publishing Councillor Cacchioni's name in the media release, we were as culpable as he was.

...Her total loss of control and abusiveness of Councillor Cacchioni was very disturbing, extremely upsetting, and unnerving to the extent that she has caused us a great deal of anguish and distress. And, this was not the first time that we have been subjected to this level of verbal abuse of Mr. Cacchioni.

...When we spoke to Councillor Cacchioni's workload, his dedication over a number of years to the City, and the amount of money that he has saved the City at the Regional District, she told us we were trying to whitewash the incident of Councillor Cacchioni's breach of our Code of Conduct.

We still do not understand how speaking to his contributions, his dedication, and the value of his work is whitewashing the incident.

In reality, the continued level of harassment, bullying, verbal abuse, and disrespect by not only Mayor Pasin, but also Councillor Santori, at this meeting and two previous meetings, June 3 and 10, 2021, were so harsh, and cruel that we were of the impression that these two individuals were trying to destroy Mr. Cacchioni. Because of their constant intensity of harassment, bullying, verbal abuse, and disrespect, we could only assume there was an ulterior motive in trying to pressure Mr. Cacchioni to resign from Council.

Mayor Pasin's behavior since the commencement of this Council, November 2018, has at best been trying, as she is very controlling and condescending. I refer to an incident in November 2020, [REDACTED] regarding an e-mail sent by Councillor Cacchioni. Mr. Cacchioni suggested we should consider advertising the CAO

∴ 22(3)(d)

s.22(3)(d) position. [redacted] Mayor Pasin [redacted] berated us at the following Council meeting. [redacted]

[redacted] The result was that [redacted]
[redacted]
[redacted]

s.22

s.22(3)(d) [redacted] We wonder why she didn't voice that opinion and speak to Councillor Cacchioni's motion when it was presented at the November 2020 meeting.

Mayor Pasin, in our opinion, has failed to bring this Council together as a cohesive and well functioning group. This was evident from the onset. Mayor Pasin was more concerned with the fact that she felt none of us voted for her, and it seemed she was unable to work through that. As a result, she showed a lack of interest in her Council members, had difficulty accepting suggestions, and publicly made disparaging statements about us.

We reserve the right to investigate any and all e-mails, correspondence, agendas, minutes and recordings of meetings to identify other incidences that relate to Mayor Pasin.

We reserve the right to request witness testimonials as they relate to our claim.

We reserve the right to request the original report from Southern Butler Price. The report we received was redacted.

We reserve the right to document and/or record any future council meetings where bullying, harassment, defamation of character, abusive behavior, and physical threats or actions occur.

s.22(3)(d) We expect that our claim will be managed in the same manner as [redacted] claim against Councillor Cacchioni. In other words, it should follow the same process that

s. 22(3)(d) Mayor Pasin acted upon with [REDACTED] claim. We view this as a precedent she established and there should be no varying of this process.

We reserve the right to submit our claim to an independent law firm if the City does not proceed with investigating this claim against Mayor Pasin..

We reserve the right to Legal Counsel, if necessary, and the City bare the cost.

We also reserve the right to damages arising out of this investigation.

Report completed by:

Carol Doherty Councillor Carol Dobie

Eleanor Gattafoni Robinson Councillor Eleanor Gattafoni-Robinson

_____ Councillor Colleen Jones

Dated: June 22, 2021

Incident Reported to:

M. McIsaac Michelle McIsaac, ^{Deputy} Acting CAO

Dated June 24, 2021

Carol Dobie

From: colleen jones <colleen99jones@yahoo.com>
Sent: Thursday, June 24, 2021 8:54 AM
To: Carol Dobie
Subject: Re: Bullying and Harassment

To whom it may concern:

Please be advised that I am giving authorization to have my name and signature added to this document and will legally sign it when I get back to town .

Colleen Jones
1105 Marianna Cres
Trail, B.C.

5010 11-0001-0000-0000-0000-0000-0000-0000-0000-0000

1105 Marianna Cres Trail, B.C. V0L 1R0

Attachment

CITY OF TRAIL
COUNCIL POLICY MANUAL
SCHEDULE A TO VIOLENCE IN THE WORKPLACE POLICY
COUNCIL CODE OF CONDUCT

Person Completing Form:

Name: Robert Cocchioni

Department: Councilor for The City of Trail

Position: Councilor

Supervisor: N/A

Details Regarding the Incident (please provide as much detail as possible)

Date: June 3, 10, 17 2021, November 2020, January 25, 2021

Time: 11:30 a.m. to 2:30 p.m. (June 17, 2021)

Location: Zoom Meeting or In Person

People Involved:

Lisa Pasin

Witnesses:

Michelle McIsaac

Lisa Pasin

Sandy Santori

Paul Butler

Colleen Jones

Carol Dobie

Robert Cocchioni

Eleanor Gattafoni Robinson

Barry Williamson at June 3, 10 and 17th only and Trisha Davidson at the Jan. 25th, 2021 only

Description of Incident:

On the 17th of June, 2021 a Closed Council Meeting was held via Zoom. In this meeting Lisa Pasin as Mayor for the City of Trail made a number of comments directed to me and other council members, that I consider to be, abusive, threatening, bullying, intimidating and harassing.

These comments are a culmination of comments and statements by Lisa Pasin that over the course of the last two and half years has demonstrated a systemic atmosphere of intimidation, harassment, bullying and disrespect toward myself and other councilors.

On June 17th, 2021 while discussing some very sensitive issues, Lisa Pasin demonstrated a total disregard to the Council Code of Conduct but specifically the Violence in the Workplace Policy. She, herself, was the individual who I contend was in violation of these policies. I will outline below the specifics of the meeting noted above and said violations which have brought the complaint forward.

1. At this June 17, 2021 closed meeting, Lisa Pasin was abusive to me and failed to control the meeting. This has happened before but specifically here she allowed another Councilor to interrupt me, ridicule me and he stated he was going to make public what was confidential information within a closed meeting. Refer to Section 117 of the Community Charter.
2. At this meeting she exhibited comments and behaviors that demonstrated serious examples of harassment and bullying specifically aimed at me.

s. 22(3)(d) She accused me of being abusive [REDACTED] An untrue statement.

She told me to "grow up"

She told me "You're crazy"

She ridiculed me when discussing my contributions to the Regional District and said "Oh Robert I forgot you saved the world".

She threatened and intimidated other members of Council that if they didn't vote with her, they would be culpable and they were trying to "whitewash" the situation at hand.

3. At this particular meeting her comments were a culmination of continued harassment and bullying of me. In November, 2020 a Councilor asked me to raise the issue of perhaps advertising for a CAO earlier than anticipated [REDACTED]. She replied with an email that said "this was concerning." At a subsequent closed meeting she then, after consultation with a lawyer, [REDACTED]

s. 22(3)(d)
s. 14
[REDACTED] Myself and other Councilors felt that with the Covid 19 situation that we may need to consider possibly advertising earlier than anticipated. Merely a suggestion, it was completely taken out of context and Lisa Pasin then proceeded to harass and

bully me for merely making a suggestion. I also consider this an abuse of authority as defined in the Violence in the Workplace policy under definitions.

4. Even more concerning is the Jan 25, 2021 governance and operations open council meeting. This is where in the last portion of the taped meeting which specifically is the last minute and 41 seconds of the meeting she accuses me, and council as a whole of bullying and harassing. Subsequent

s. 22(3)(d) investigation by the Law Firm of Southern, Butler, Price [REDACTED] This caused me severe mental and physical anguish from that day forward. What caused me even more mental and physical anguish is that she did this in an open public meeting. Once again this demonstrates a complete abuse of power.

I reserve the right to go back over any and all correspondence, emails, council meetings, agendas and minutes both open and closed if necessary to demonstrate that the issue noted above is the culminating actions that has caused me to file the Violence in the Workplace Complaint and Code of Conduct.

I reserve the right to Legal Counsel and for the City to cover my legal costs.

I reserve the right to contact the Prevention Information Center if the City does not take reasonable steps to address the incidents as noted in this complaint.

I reserve the right to damages arising out of the investigation.

I reserve the right to receive any and all reports unredacted, and at the same time they are submitted to the City that are generated from investigations.

I reserve the right to bring in witnesses to the investigation to support my complaint.

I reserve the right to document and record any future acts of harassment and bullying, disrespect, intimidation, abusive behaviour, conflict of interests, threats or acts of physical violence, or actions either written or verbal (but not limited to) to defame my character from June 17, 2021 onward. These will be presented at a later date, added to my initial complaint dated June 23, 2021 and form part of the investigation.

Over the last two and half years of systemic harassment and the outrageous conduct by Lisa Pasin in the June 17, 2021 meeting, it has impacted both my physical and emotional health.

Person Completing the Report

Signature: 

Date: June 23, 2021

Incident Reported to

Name: Michelle McIsaac Position: Deputy Asst. CAO

Signature: 

9:09 A.M.

CITY OF TRAIL
COUNCIL POLICY MANUAL
SCHEDULE A TO VIOLENCE IN THE WORKPLACE POLICY
COUNCIL CODE OF CONDUCT

Person Completing Form:

Name: Robert Cacchioni

Department: Councilor for The City of Trail

Position: Councilor

Supervisor: N/A

Details Regarding the Incident (please provide as much detail as possible)

Date: June 17, 2021

June 3, 2021

June 10, 2021

January 25, 2021

October 26, 2020

Time: June 17, 2021 – 11:30 a.m. to 2:30 p.m. approximate

Location: Zoom Meetings for June 3, 10, and 17th and in person meeting October 26, 2020

People Involved: Sandy Santori

Witnesses:

Michelle McIsaac

Lisa Pasin

Paul Butler

Carol Dobie

Robert Cacchioni

Colleen Jones

Eleanor Gattafoni Robinson

Barry Williamson at June 3, 10 and 17th only and Trisha Davidson at the Jan. 25th meeting only

s. 22(3)(d) [REDACTED]

During the three meetings in June, Mr. Santori made statements that I consider to be threatening, abusive, harassing, bullying and intimidating. Specifically, he has stated numerous times, "Robert you should resign". As well, there was a previous incident, at the October 26, 2020 meeting, where he harassed, bullied, swore at me, and threatened me with physical violence. I have outlined all of this in the next few paragraphs.

October 26, 2020

At this meeting, there was a vote by Council regarding an appointment to the Safety Task Force Committee. Mr. Santori is the Chair of this committee, and our decision/vote as a Council wasn't well received by him. He stated to all of Council that if we did not support his choice for this appointment, we were not supporting him. He then proceeded to call me:

a son of a bitch,

a prick,

an asshole,

Verbally he was out of control, and he continued to ridicule and threaten me with physical violence in front of Council and two staff members [REDACTED]. He stated, "Do you want to go outside with this?" I did not make any threatening or derogatory statements to Mr. Santori and remained in my chair. This threat of physical violence, was extremely upsetting to me and severely impacted both my physical and emotional health. Mr. Santori then announced that he was resigning his position as Chair of this committee and stormed out of the meeting. It should be noted that Mr. Santori finds it difficult in accepting decisions that do not support him. This type of behavior occurred at our initial Council meeting in 2018. At this meeting, Council did not support appointing him to the Regional District Committee. They supported me. Although he made no verbal comments, his physical actions were extreme and out of order. During both of these scenarios, Mayor Lisa Pasin failed to control the meeting and further made no effort to curb Mr. Santori's outrageous and abusive behaviour.

June 3, 10, 17, 2021

The purpose of these meetings was to discuss [REDACTED]

[REDACTED] The mayor proceeded, without any discussion with Council, to turn this matter over to our city law firm. Their recommendation was to assign the matter to an independent law firm. The independent law firm proceeded to interview all attendees at this Council meeting. [REDACTED]

[REDACTED] The Council proceeded to prepare

22(3)(d)

22(3)(d)

our public media release. During all of these meetings, Mr. Santori aggressively stated that I should "Man up and resign." This was repeated again and again, and there was no intervention by the mayor. All of these meetings were highly confidential and discussed in Closed sessions of Council. However, Mr. Santori's anger at these meetings against me was extremely evident, when he continued to harass me by telling me to resign. He then proceeded to inform Council that he would not be silenced on this issue and would make sure the residents of Trail knew who (he perceived) was responsible [REDACTED]. He was willing to go outside of the Closed session of Council and not respect the confidentiality of the report and discussions of the Closed sessions. In other words, he was going to break Section 117 of the Community Charter. This was threatening to all of Council and demonstrates just what lengths Mr. Santori is willing to go to in order to get his way. It is my belief that Mr. Santori may have done this, in an effort to continually harass and defame my character.

During our June 17th meeting, he continually interrupted me when I was speaking and trying to clarify some issues. These interruptions consisted of snide comments, rude facial gestures and laughing. All of Council and Mr. Williamson witnessed this behavior. Mayor Pasin did nothing to stop this abuse and harassment.

All of the above, mentioned meetings, have caused me a great deal of stress and anxiety. Since the October 2020 meeting, where I was threatened with physical violence, I have found it extremely difficult to attend meetings either in person or through Zoom. I have experienced high levels of stress at these meetings, as I never know what Mr. Santori will say or do. Plain and simple, Mr. Santori is a bully and has demonstrated this behavior towards me and other members of Council through harassment, intimidation, manipulation, emotional cruelty and the threat of physical violence.

I reserve the right under Council's Violence in the Workplace Policy, 3F, to advise and notify the R.C.M.P. if this situation escalates to a point where additional support is required.

Furthermore, I reserve the right to review any and all e-mails, correspondence, agendas, minutes and recordings of meetings that will assist me in identifying any other incidents relating to Mr. Santori.

I expect my claim to be managed in the same format, as previously established by Mayor Pasin [REDACTED]. This would require the intervention of a law firm to manage, investigate and assess my claims.

I reserve the right to contact the Prevention Information Center if the City does not manage this claim in the established procedure as was done with Mr. Perekhodoff's claim.

I reserve the right to legal counsel and for the City to cover my legal costs.

I reserve the right to damages arising out of the investigation.

I reserve the right to document and record any future acts of harassment and bullying, disrespect, intimidation, abusive behaviour, conflict of interests, threats or acts of physical violence, or actions to defame my character from June 17, 2021 onward. These will be presented at a later date, added to my initial complaint dated June 23, 2021 and form part of the investigation.

I reserve the right to bring in witnesses to the investigation to support my complaint.

Person Completing the Report

Signature: 

Date: June 23, 2021

Incident Reported to

Name: Michelle McIsaac

Position: Aedfig CAD
Deputy

Signature: 

Date: June 23, 2021

Time: 9:05 am