

# The Hamilton Spectator

## Council proposing whistleblower bylaw

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Hamilton is considering a new whistleblowing bylaw that's the first of its kind in the province.

The proposed bylaw would protect all city staff who come forward with allegations about misconduct by other staff or council. It would apply to staffers who report incidences of "serious wrongdoing," such as lawbreaking, misuse of city money or endangering someone's health or safety.

It would also require staff and council members to co-operate with any investigations that arise.

There are several other cities in Ontario that have policies in place protecting whistleblowers from reprisals. But if it agrees at council next week, Hamilton will be the first municipality to enact a bylaw on the issue.

City manager Chris Murray said a bylaw "provides more teeth" than a policy alone.

"Other municipalities will be watching us," he said.

The mayor and city council will be exempt from the bylaw, Murray said, because any allegations of their wrongdoing will be dealt with by the integrity commissioner.

If passed, the bylaw will take effect in six months to allow time to get the message out to staff.

Councillor Brad Clark, who introduced the resolution leading to this bylaw, acknowledged the new legislation is part of several new initiatives to increase public trust and transparency at city hall.

"The public is expecting it," he said.

Clark regarded himself as a whistleblower in 2008 when he leaked a tape of Mayor Fred Eisenberger discussing confidential information with a Spectator columnist after the mayor had criticized council for past leaks. Acting city integrity commissioner George Rust-D'Eye dismissed Clark's claim and said he was seeking political gain.

The new bylaw was brought forward as part of an update to the city employee code of conduct that will go hand-in-hand with the whistleblowing legislation.

The new code touches upon several areas, Murray said, including new regulations for gifts and hospitality.

While the old code of conduct said staff has to report gifts above a "nominal amount," the revised version says they must report gifts of \$25 to \$100. Gifts

above \$100 will be prohibited for all staff, with the exception of some city staff who participate in events as part of their "business responsibilities."

Like the whistleblowing bylaw, the changes to the employee code of conduct do not apply to council.

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