

Executive Summary

Councillor Code of Conduct

Councillor Tom Davis

On March 13, 2026, the City Solicitor received a complaint which alleged violations of the Councillor Code of Conduct and the City of St. John's Respectful Workplace Policy (03-05-19) against Councillor Tom Davis. The Complaint set out a recent verbal exchange on March 10, 2026, along with four (4) other examples as the basis for the alleged violations of the Code and Policy.

The City Solicitor reviewed the Complaint pursuant to s. 51 of the Councillor Code and determined that it could not be dismissed. Dismissal can occur at this stage if there is no reasonable prospect of any of the allegations being substantiated. The possibility of an Alternative Remedial Process under s. 52 of the Councillor Code was considered but not pursued due to the requirements of the section. The Complaint was then referred to Ms. Donna Ballard, an External Investigator, under s. 56 of the Councillor Code of Conduct.

Ms. Ballard's investigation reviewed alleged breaches of the following sections of the Respectful Workplace Policy:

- 3.1 Respectful / Appropriate Workplace Behaviours;
- 3.3 Disrespectful Workplace Behaviours;
- 5.1 Responsibilities of All Employees and Members

Under the Policy, Ms. Ballard also considered the definitions of Disrespectful Behavior; Poisoned Work Environment; Respectful Workplace; and Vexatious.

With respect to the Councillor Code of Conduct, Ms. Ballard reviewed sections 82 and 85 detailing the purpose of the Part 5 of the Code and what "harassment" means for the purposes of the Code respectively. Sections 4, the purpose of the Councillor Code, and s. 6, addressing Conduct of Council Members, were also considered.

Ms. Ballard interviewed 18 people as part of her investigation into the allegations, along with documents supplied by parties. Where necessary, further communication occurred after an interview. In addition to the materials supplied as part of the Complaint and materials filed, she also requested audio-visual recordings from the City.

The civil standard of balance of probabilities was used in the investigation.

Ms. Ballard provided her report to the City Solicitor on May 8, 2026. It was provided to the Complainant and Councillor Davis on May 11, 2026, and to Council the next day. Ms. Ballard

met with Members of Council on May 19, 2026, to present her Report as required under s. 61 of the Councillor Code of Conduct. Council accepted the Report and the findings therein.

Ms. Ballard made the following determination:

Councillor Davis breached sections 3.1 and 3.3 of the Respectful Workplace Policy by engaging in disrespectful behaviour. The breaches were evidenced by:

- A verbal exchange on March 10, 2026, prior to a meeting of Council, where Councillor Davis's conduct was insensitive and disrespectful;
- Multiple comments made to colleagues that failed to respect the opinions and perspectives of others and were offensive;
- Questioning competency of staff by making remarks that cast aspersions on the professional reputation of staff and discredited their integrity; and
- The cumulative effect of the offensive comments and conduct created a Poisoned Work Environment.

Council met on May 27, 2026, to consider whether a sanction under s. 63 of the Councillor Code of Conduct was required. At this meeting it was decided that at the Regular Meeting Council will bring forward a Resolution:

1. That Councillor Davis has contravened section 6 of the Code of Conduct and sections 3.1 and 3.3 of the Respectful Workplace Policy;
2. To issue a formal reprimand by Council;
3. To require Training as determined by Council, focusing on effective and respectful communications, professionalism in the workplace, sensitivity and inclusion, within 60 days of June 2, 2026, with ongoing support as required; and
4. To suspend Councillor Davis from Council for one month with pay.