



Mount Pearl Municipal Workers Union

CUPE Local 2099

P.O. Box 488 • Mount Pearl • NL • A1N 2W4

June 9, 2020

Members of Council:

Re: Steve Kent Investigation

It has now been over eight months since CAO Steve Kent was placed on administrative leave for alleged violations of the City's policies.

As a Union in an effort to maintain the integrity of this investigation, we have been largely silent, instead waiting patiently for Council to make a decision. Although we have been silent, we have certainly been paying attention and we are not oblivious to what has transpired over the last several months.

We are mindful that Council is fully aware that Municipal Affairs has taken an interest in this investigation as well as the office of the Privacy Commissioner. To date, the City has spent in excess of \$144,000.00 on the salary of Mr. Kent and is receiving advice and has incurred cost from the law firms of Cox and Palmer, McInnes Cooper as well as that of the independent investigator Ms. Gallivan. There is also speculation that a number of senior managers have recently approached Council with their own legal representation asking that the City incur their costs as well.

At what point will Council finally see fit to place the concerns of the complainants, the alleged victims and the taxpayers ahead of the concerns of one individual?

If Mr. Kent is truly co-operating with the investigation as he has declared publicly, why is it that the investigator concluded interviewing city staff in December 2019 yet six months later Mr. Kent has still not sat down with the investigator to bring this matter to a conclusion?

Why did the City have the investigator reach out to ask whether it was ok to release the original complaints to Mr. Kent and then proceed to do so voluntarily with no court order, even after the complainant denying this request for permission?

Why did the City choose not to notify the complainant that this was going to happen, despite a commitment from the investigator that the complainant would be notified before this would happen?

Would the City also agree that releasing a document filed confidentially to protect the identity of complainants and possible unwilling victims is a violation of the privacy of those individuals?

Why has the City failed on its obligation under policy to keep complainants formally updated on the process as it unfolds?

At what time can the complainants in this investigation expect to receive a response from Council with respect to their findings?

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As you can see, this Executive and its membership have quite a number of concerns with how this investigation has unfolded and has been handled to date.

According to Mr. Kent's contract under Employment 1(C) *"the effective performance of the employee's duties requires the highest level of integrity and the employers complete confidence in the employee's relationship with other employees of the employer and with all persons,..."*

Regardless of the outcome of this investigation, should the City not consider severing all ties with Mr. Kent given all confidence in his ability to effectively lead city staff should be all but lost?

Why does the City not make a decision and deal with this matter and protect the mental well being of all City staff, forcing this to a conclusion?

This Executive represents some 225 bargaining unit members, and while it has been placed in our charge to vehemently defend the health and well being of our members, we take the mental health and well being of all of our coworkers very seriously as this affects all of us as a collective, and therefore diminishes our ability to deliver safe and effective services to our residents.

This investigation needs to be brought to an end. What precedent are we setting when seemingly some 30 employees have either come forward or bore witness to the alleged misconduct? What chance does any one individual have in coming forward if they were ever subjected to violations of City policy when so many other voices seem to be silenced?

A formal response to our concerns as noted above, would be greatly appreciated.

Regards,

CUPE Local 2099

Copy: Mona Lewis, Acting CAO
Cassie Pittman, Acting Director of Corporate Services
Janice Mullins, Manager, Human Resources