



HR- 100-11

Policy Manual

Municipal Employee Code of Conduct

Last review date: December 2015

Next review date: December 2016

STATEMENT:

Local government is an open, accessible and accountable form of government. To enhance the relationship of public trust and mutual respect that has evolved between government and the public requires high standards of ethical conduct by municipal employees.

PRINCIPLES:

Our employees must observe the highest standards of conduct in the performance of their duties, regardless of personal consideration. Employees must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Employees must not engage in any conduct or activity that contravenes our by-laws or any law in force in Saskatchewan which might:

- detrimentally affect the municipality's reputation;
- make the employee unable to properly perform his or her employment responsibilities;
- cause other employees to refuse or be reluctant to work with the employee; or
- otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

PURPOSE:

This Code of Conduct is intended to:

- provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- protect the public interest;
- promote high ethical standards among municipal employees;
- provide a means for municipal employees to obtain authorization for conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct; and
- set out the corrective measures for unethical conduct.

CONFIDENTIALITY:

Every municipal employee must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the municipality. Confidential information means information that is not part of the public domain and information designated by council as confidential, such as personal information, internal policies, items under any legal proceeding, etc. Any information that is released must be in accordance with the Freedom of Information and Protection of Privacy Act.

Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information that is obtained as a result of his or her employment and that is not available

to the public to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

USE OF INFLUENCE:

The municipality strives to ensure fairness and objectivity in its decision-making process.

Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use his or her position to seek to influence a decision of another person so as to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests

ACCEPTANCE OF GIFTS:

An employee may pay for or accept customary business hospitality, provided:

- The expenses involved are at a reasonable level
- They are infrequent
- They can clearly be seen as legitimately serving a definite business purpose, and



- They are appropriately related to the responsibilities of the individual

By way of example, promotional items of nominal value (e.g. mugs, hats, shirts, pens) are considered acceptable.

Similarly, employees who are asked to speak publicly to an organization or professional association may accept a small honorarium or gift provided it is reasonable under all of the circumstances. In cases where employees are asked to speak or make presentations to share information with colleagues, it may also be permissible to accept the offer of travel and/or accommodations.

USE OF MUNICIPAL PROPERTY AND ASSETS:

This section regulates the “outside of municipal purposes” use of municipal property by an employee.

Without restricting the scope of this principle, the following shall be considered breaches of the Code of Conduct:

- 1) An employee must not use the municipality’s property, equipment, supplies or services for activities not associated with the discharge of official duties; and
- 2) Employees shall not use the municipality’s property, equipment, supplies or services for personal gain.

OUTSIDE WORK OR BUSINESS ACTIVITIES:

Every municipal employee must perform his or her duties to an acceptable level. Employees will not engage in any outside work, private employment, business, or undertaking for any person, group, or organization, which might interfere with the performance of their duties as a municipal employee, without the prior approval of council.

Without restricting the scope of this principle, the following shall be considered breaches of the Code of Conduct:

- 1) Where the outside employment or activity is performed in such a way as to give the impression that the employee is acting in an official municipal capacity or holding himself or herself out as representing the municipality’s official point of view; and/or
- 2) Where an employee uses his or her position to solicit business on his or her own account during regular working hours for the municipality unless prior permission has been obtained from the municipality through an agreement.

POLITICAL AND COMMUNITY ACTIVITIES:

To ensure public trust in the municipality, employees must be, and appear to be, both personally impartial and free of undue political influence in the exercise of their official duties.

The municipality encourages employees to take part in community activities. However, it is important to bear in mind that such service may, at times, place the employee in a real or perceived conflict of interest situation. As a member of a community board or external committee, the employee must continually assess their involvement and expected decision-making responsibilities in light of their employment with the municipality. To ensure the existence and appearance of objectivity employees should abstain from involvement in those decisions or votes that would create, or be seen to create, a conflict of interest. An employee must notify the municipality administration of such potential or actual conflict of interest situations.

Similarly, employees engaged in political activities must take care to separate those personal activities from their official positions. Employees may participate in political activities at the federal, provincial, municipal levels providing such activity does not take place during work hours or utilize municipal assets, resources, property or is disallowed by legislation. Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees on municipal work sites or on municipal property.

HARASSMENT:

Every employee has the right to work in an environment that is free from discrimination and harassment, by the employer, agent of the employer, another employee, or any other person with whom he/she comes into contact in the normal performance of his/her duties. Any such harassment or discrimination will be regarded as a serious offence and is subject to disciplinary action.

All individuals in the workplace are responsible for reporting harassment or discrimination to their supervisor.

ALCOHOL AND DRUG USE:

Employees must abide by applicable laws and regulations governing the possession or use of alcohol or drugs. The illegal use, sale, purchase, transfer or possession of any restricted or controlled drug, narcotic or any other substance while on municipal premises, or during working hours is prohibited and will result in discipline.

It is never permissible for employees to attend to their job duties and responsibilities having consumed alcohol, be under the influence of drugs or other similar substances, which might adversely affect performance on the job.



Employees shall not consume alcohol during a break or lunch period if they operate municipal equipment, municipal owned or leased vehicles, or are required to operate their own vehicle during the execution of their duties.

Similarly, unless it is a municipal pre-approved event, the municipality prohibits the sale, purchase, transfer, distribution, and unauthorized possession or consumption of any alcoholic beverages by employees while on municipal premises or while performing their municipal functions.

PROCEDURES AND CONFLICT RESOLUTION:

Employees are expected to comply with the Code of Conduct. Employees have a responsibility to request an interpretation of the Code from the municipality's senior administrative official (the Administrator) if they are unsure whether their behavior, circumstances, or interests contravene the Code.

Where an employee suspects that he or she is, or may potentially be, in conflict with any of the provisions of the Code, the employee must disclose the conflict or potential conflict in writing, to:

- his or her direct supervisor, in the case of any employee; or
 - the supervisor must immediately advise the Administrator.
- council or the Personnel Committee in the case of the Administrator.

The disclosure should include a detailed description of the conflict or potential conflict.

Where a disclosure is made, the matter will be treated seriously and in confidence. The supervisor must review the disclosure within five (5) business days, from the date the disclosure is made, and determine an appropriate course of action to address the actual or potential conflict.

The conflict resolution process may include:

- review by Administrator/Council/Personnel Committee;
- employee to disclose specifics of conflict of interest;
- employee to withdraw from participation respecting the matter where the conflict or potential conflict exists;
- action to be taken by the municipality if an employee fails to disclose a conflict or potential conflict, such as:
 - disciplinary letter, copy to be placed in the employee's file;
 - employee training (ethics);
 - short-term suspension;
 - long-term suspension; or termination – consult with solicitor.