

Department: All Departments	Policy Number: H00-01842
Subject: Employee Code of Conduct	Effective Date: 13/12/16
Bylaw No: 2755/17	Revision Date:
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EMPLOYEE CODE OF CONDUCT

Policy Statement

The Town of Espanola is committed to the principles of integrity, ethical behaviour, accountability and transparency and endeavours to maintain the highest level of public confidence in all that we do. Through staff commitment and effort we are able to demonstrate our values, deliver quality public service and strive to achieve the Town's vision to make the Town of Espanola a safe, healthy community in which to live, work and thrive.

This Code of Conduct (the "Code") clarifies the municipality's expectations of its employees and affirms our commitment to caring for our community's needs and maintaining fiscal responsibility on behalf of the public. It provides a guide for consistent behaviour in delivering municipal services. Contravention of this Code is a serious matter to the Town and the public, and will be treated as such.

EMPLOYEE RESPONSIBILITY

Employees of the Town of Espanola are ambassadors for the municipality and are expected to reflect a professional image at all times. They must follow the highest standards of ethical behaviour in the course of their work to ensure that public confidence and trust is maintained.

As employees, we are accountable to the Town and the citizens of Espanola and are responsible for the assets entrusted to us. It is with this in mind that every Town employee is expected to comply with the Code of Conduct in addition to existing Corporate Policies and Procedures that govern employee behaviour.

PURPOSE OF THE CODE OF CONDUCT

The Code of Conduct sets minimum standards for the behaviour of municipal employees in carrying out their duties. It has been developed to assist municipal employees to:

1. Understand the standards of conduct that are expected of them;
2. Act in a way that enhances public confidence in providing municipal services; and
3. Identify and resolve situations which might involve a conflict of interest or a potential misuse of position and authority.

A. STANDARDS OF CONDUCT

1. Municipal Employees shall at all times seek to advance the common good of the community which they serve.
2. Municipal Employees shall truly, faithfully and impartially carry out the will and decisions of Council to the best of their knowledge and ability.
3. Municipal Employees shall refrain from behaviour that could constitute an act of disorder or misbehaviour. Specifically, municipal employees shall refrain from contact that:
 - a. Contravenes Federal or Provincial statutes or legislation, the Municipal Act, Municipal bylaws, associated regulations and the Municipality's Code of Conduct.
 - b. Is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others.
 - c. Prejudices the provision of a service or services to the community.

This Code of Conduct is supplemental to the existing statutes and corporate policies governing the conduct of municipal employees:

Statutory Provisions Regulating Conduct

- a. Municipal Act, 2001, s.223.2(1), as amended;
- b. Municipal Freedom of Information and Protection of Privacy Act;
- c. Human Rights Code;
- d. The Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009; and
- e. The Criminal Code of Canada

Corporate Policies Regulating Conduct

- a. Attendance and Punctuality H01-01356;
- b. Respect In the Workplace H04-01615;
- c. Discipline Policy H05-01374;
- d. Hiring Policy H11-01282;
- e. Confidentiality Policy H13-01391;
- f. Conflict of Interest H14-01393;
- g. Corporate Communications Policy C12-01279; and
- h. CUPE Local 534 or 4705 Contract where applicable.

B. CONDUCT TO BE OBSERVED

1. General Personal Conduct:

Municipal employees shall:

- a. perform their duties with integrity, honesty, and respect;

- b. be polite and courteous at all times;
- c. treat others equitable and fairly;
- d. accept responsibility for their actions, behaviour and impact on others;
- e. ensure that no person suffers reprisal as a result of making a complaint, or for providing information in support of conflict resolution;
- f. Contact one of the following resources for assistance in effectively dealing with conflict: supervisor or manager; Clerk or CAO/Treasurer;
- g. Inform immediate supervisor of threat or violence.

2. Conduct Respecting Council and the Corporation

Municipal employees shall:

- a. Conduct their relations between themselves and Councillors in a polite and respectful manner and should always be civil based on mutual respect;
- b. Uphold the integrity of Council and its decisions;
- c. Refrain from making public statements on Municipal Policy and/or Council decisions;
- d. Remain neutral in their service to all Councillors.
- e. Employees are expected to support policies, programs and decision of the Town and not publicly criticize the Town as an institution or employer, such that the public's perception is adversely affected. All employees have a general right to freely express opinions on matters of public policy; however this right is limited by an employee's employment relationship. Public criticism may include, but is not limited to: letters to the editor, interviews with the media, negative statements to the public and posts on social media sites.
- f. Employees should direct inquiries from individual Councillors and other elected officials to a member of senior management, or obtain senior management approval prior to contacting Councillors or other elected officials to provide information about a particular matter.

3. Outside Activity

Outside Activities conducted by municipal employees, whether consisting of employment for profit or participation in non-profit activities, are permitted under the Conflict of Interest Policy H14-01393; in addition employees must ensure the following:

- a. There must be no conflict of interest with the Employee's official duties;
- b. Outside activities must occur outside the employee's working hours with the Town of Espanola;
- c. There must be no adverse effect on the community or the ability of the employee or other staff to perform their duties and functions;
- d. Respect the status of confidential or "insider" information so as not to cause detriment to the Corporation, Council, themselves or fellow employees.

4. Use of Public Resources

- a. Employees of the Corporation shall avoid waste, abuse and extravagance in the provision or use of public resources, and shall expose fraud and corruption of which he/she is aware.
- b. Employees shall not use municipal property, equipment and supplies or services owned or leased by the Town for personal gain.

5. Use of Municipally Owned and Leased Vehicles

- a. Municipal vehicles are not to be used for any purpose other than authorized municipal business.
- b. Municipal vehicles are not to be driven by anyone other than an authorized and properly licenced Town employee.
- c. Passengers shall be limited to Town employees and individuals directly associated with municipal work activity (ex. Member of Council, Committee Members, consultants, contractors, volunteer firefighter, etc).
- d. Non-work related individuals including family members of an employee shall not be transported in a municipal vehicle.
- e. Municipal vehicles are to be operated at all times in accordance with the Highway Traffic Act and Municipal Bylaws. Penalties associated with any violation are the responsibility of the operator of the vehicle.
- f. In the event that an employee's licence is suspended or revoked, he/she must notify their supervisor immediately.

6. Conflict of Interest

Employees will conform to the Corporate Conflict of Interest Policy H14-01393 where the following has been stipulated:

- a. An employee will be considered to have a conflict of interest where he or she or a member of his or her family has a direct or indirect financial interest in a contract or proposed contract with the Town, and where the employee could influence the decision made by the Town with respect to the contract. A conflict exists where an employee could directly influence the decision made in the course of performing his job duties, and also where he could indirectly influence the decision through exerting personal influence over the decision maker.
- b. It is the employee's responsibility to identify and report any possible or actual conflicts of interest to their supervisor, regardless of whether or not the employee benefits from it.

7. Media and Public Relations

Communications with the media and public will be conducted so that all information originates from a qualified, informed and approved spokesperson, as per Corporate Communications Policy C12-01279 and Webpage Policy M10-01326.

- a. Employees shall not compromise the Municipality's interests in any way, by personal use of letterhead, email addresses or Facebook posts.
- b. Employees shall use sound judgment and common sense in using social media and ensure that all social media use conforms to this Code of Conduct as well as corporate values and sound business practice.
- c. If you repost something written by someone else, ensure you have the proper permission to do so. Do not use copyrights, trademarks, publicity rights or other rights of others without the necessary permissions of the rightholder(s).
- d. Do not discuss situations involving named or pictured individuals without their permission.
- e. You have an obligation to ensure that posts are accurate and not misleading and that they do not reveal non-public information about the Town of Espanola.

8. Interpersonal Behaviour of Municipal Employees

- a. Treat Every Person with Dignity, Understanding and Respect

All Municipal employees shall abide by the provisions of the *Human Rights Code* and the *Respect In the Workplace Policy H04-01615*, and shall treat every person including Members of Council, Committees, Boards, municipal employees, individuals providing services on a contract basis and the public

with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

Employees found in contravention will be subject to Discipline Policy H05-01374.

9. Protection of Privacy

- a. All employees shall comply with the Municipal Freedom of Information and Protection of Privacy Act at all times. Public comments, discussions and disclosures to the media regarding employees or individuals that breach a person's privacy is deemed to be a contravention of this Code of Conduct.

10. Compliance with the Code of Conduct

- a. Municipal employees are encouraged to seek clarification from the supervisor if they are uncertain as to whether an existing or contemplated action may contravene the Code of Conduct.
- b. Complaints or inquiries concerning the conduct of any municipal employee shall be made in writing to your supervisor or the CAO/Treasurer. *Complaints or inquiries concerning the CAO/Treasurer shall be submitted to the Clerk. The Clerk will consult with the Mayor and the Municipal Human Resource Consultant will be engaged.*
- c. All complaints or inquiries will be treated as confidential.
- d. A copy or summary of any written or oral complaint received is to be sent immediately to the employee complained against with a request to provide a response.
- e. The CAO/Treasurer or designate shall investigate all complaints or inquiries concerning the conduct of a municipal employee.
- f. The employer shall summarize the findings of the investigation in written form and present to the employee complained against, the findings and the appropriate course of action to be taken.
- g. Where an employee is found to have breached the Code of Conduct the employer shall take disciplinary action in accordance with the Discipline Policy H05-01374.
- h. Former Municipal employees are bound by the Municipal Confidentiality Policy H13-01391.
- i. This Policy supports but does not replace the rules of professional conduct or ethics set out by professional designations.

ACKNOWLEDGEMENT
Appendix 'A'

SIGNATURE

The undersigned Town of Espanola Employee, hereby acknowledges receipt of a copy of Policy H00-01842, Code of Conduct for Municipal Employees.

Signature of Employee

Acknowledgement of Receipt of Code of Conduct Policy

Date of Signature

PRINT NAME

NOTE:

The Employee acknowledges that a copy of Policy H00-01842 containing the Code of Conduct Policy for Municipal Employees was provided to them. One signed copy of the "**ACKNOWLEDGEMENT**" was returned to the CAO/Treasurer to be placed in the Employee File and the Employee retained a complete copy of the Policy.