

MUNICIPAL CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP

BY-LAW #2016-12

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BEING A BY-LAW TO ADOPT AN EMPLOYEE CODE OF CONDUCT

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WHEREAS the Council of the Corporation of North Algona Wilberforce Township wishes to establish an Employee Code of Conduct policy;

NOW THEREFORE BE IT ENACTED BY THE CORPORATION OF NORTH ALGONA WILBERFORCE TOWNSHIP AS FOLLOWS:

1. That the "North Algona Wilberforce Township Employee Code of Conduct Policy" attached hereto as Schedule "A" be and is hereby adopted.
2. That Schedule "A" is deemed to form part of this by-law.
3. That this by-law shall come into force and take effect following third reading. By-law read a first and second time this 16<sup>th</sup> of February 2016
4. By-law read a third time and passed this 16<sup>th</sup> of February 2016

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Mayor

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Clerk Treasurer

## SCHEDULE "A"

### EMPLOYEE CODE OF CONDUCT

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**CORPORATE MISSION STATEMENT & CORPORATE VALUES** Our Mission: The delivery of high quality services to the residents of North Algona Wilberforce in an efficient and cost-effective manner.

Our Values:

- Honesty & Integrity
- Professionalism
- Client Service Orientation
- Focus on Results

**1) EMPLOYEE RESPONSIBILITY** Employees of the Township must follow the highest standards of ethical behaviour in the course of their work to ensure that public confidence and trust is maintained. The Township and all its employees must be above suspicion and beyond reproach, and must be perceived in this manner.

**EMPLOYEE BEHAVIOUR (PROFESSIONALISM)** Employees interact with clients in receipt of Township services or programs, community agencies, contractors, suppliers, and the general public on a daily basis. Employees must be professional, courteous and objective in all of these interactions. The Township's employees are its ambassadors and are expected to reflect a professional image at all times.

Depending on the nature of the work of the employee, certain attire may not be appropriate. Employees are requested to be mindful of their attire and dress professionally for their job. Each employee must also be conscious of the Township's public duty and their part in the discharge of that duty. They are expected to conduct themselves with the highest degree of ethical behaviour and integrity. As with such external relations, employees must also be professional and courteous with their co-workers.

They should be aware that improper behaviour in the workplace has a negative effect on others.

**Examples include** bullying behavior, excessive noise, inappropriate office decorations, potentially offensive pictures and jokes, profanity and demonstrating little or no respect for other's personal belongings.

Employees are expected to be reasonable and fair in their expectations of each other, and resolve any conflict in a mature and professional manner.

**DISCLOSURE** This Code applies to all Township employees. As such, each employee is required to be knowledgeable about the Code, all related Township by-laws, policies, laws, regulations, government guidelines and internal controls applicable to their jobs. As such, each employee is required to address any situations of actual or potential non-compliance.

For example, when an employee believes that they may be in breach of the Code, then that employee must make prompt and full disclosure to their Supervisor (or designate) or delegated official. This disclosure should include a detailed description of the actual or potential breach. An actual or potential breach may arise without any intentional wrongdoing or improper conduct on the part of the employee. In those circumstances, employees will not be treated or disciplined adversely for making prompt and full disclosure. However, all employees are expected to make every effort to avoid such circumstances. Employees are to use sound judgment and apply the Code in a proactive fashion in order to maintain the public's trust in North Algona Wilberforce employees.

**2) REPORTING ALLEGATIONS** Any suspected fraud, breach of trust or other wrongdoing by another employee must be reported to management. Every effort will be made to protect the confidentiality of such information. All employees must co-operate fully during an investigation of suspected wrongdoing in relation to any articles outlined in this Code. Reprisal against someone who is a witness or is involved in such investigations is prohibited. When in doubt about the interpretation or application of this Code, clarification should be sought from the Supervisor (or designate)

**VIOLATION OF CODE OF CONDUCT** This Code's references to guidelines and policies, as well as related expectations, re-affirms the Township's commitment to honesty, integrity, and professionalism in delivering services to the public. Maintaining residents' confidence and trust in municipal government

and its employees is of the utmost importance. The high standards of conduct expressed in this document are intended to ensure that this public trust is not compromised. Every employee is expected to be aware of, and act in compliance with, this Code and its related policies. Violation of these principles is a serious matter and will be dealt with as such by the Township. Any employee, who has contravened these requirements, including the “reporting allegations” obligation to report any knowledge of wrongdoing, shall be subject to appropriate disciplinary action (up to and including dismissal). Any employee under investigation may be suspended with or without pay or may be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interest of the Township.

**MANAGEMENT RESPONSIBILITY** as part of effective management, each Department must ensure that its employees are aware of, and act in compliance with, this Code and its related policies. The management of the Township is accountable for protecting the assets of, and the public trust in, the Township. Towards this end, management must make every effort to establish and maintain adequate systems, procedures and controls to prevent and detect fraud, theft, breach of trust, conflict of interest, bias and any other form of wrongdoing.

Upon receiving written disclosure of an actual or potential breach of the Code, the departmental Head shall either determine that no breach exists or take reasonable steps to ensure that the matter is addressed in the appropriate manner. It is the responsibility of management to ensure that each incident of suspected wrongdoing is investigated. [AW1]

**3) HARASSMENT** The Township recognizes the right of every employee to work in an environment that is free from discrimination and harassment, by the employer, agent of the employer including elected officials, 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 North Algona Wilberforce’s workplace are responsible for reporting harassment or discrimination to a manager or supervisor, in order to enable the Township to take appropriate action. The issues of workplace discrimination and harassment are dealt with in detail in the Township’s applicable policies.

**ALCOHOL AND DRUG USE** Employees must abide by applicable laws and regulations governing the possession or use of alcohol or drugs. The use, sale, purchase, transfer or possession of any restricted or controlled drug, narcotic or any other substance while on Township 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 Township equipment, Township owned or leased vehicles, or are required to operate their own vehicle during the execution of their duties. Similarly, unless it is a Township pre-approved event, the Township prohibits the sale, purchase, transfer, distribution, and unauthorized possession or consumption of any alcoholic beverages by employees while on Township premises or while performing their Township functions. Employees who may be experiencing problems related to alcohol and drug use are encouraged to contact the Employee Assistance Program (EAP) of the Township.

**4) USE OF TOWNSHIP PROPERTY AND ASSETS** Employees will not, except as specifically provided by policy and with Department Head approval, use Township property or equipment for activities or purposes not associated with the discharge of official duties. Employees of the Township are responsible for using information resources in an effective secure, ethical and legal manner.

**FRAUD/THEFT** in general, fraud is an act committed which, through deceit, falsehood and other such behaviour, either deprives the Township of its assets, property or other resources (this includes theft), or causes the Township to act to its own detriment or prejudice. Fraud may include acts committed with the intent to deceive, involving either misappropriation of Township assets, property or other resources or misrepresentation of financial or other information to conceal such misappropriation, by such means as:

- Manipulation, falsification or alteration of records or documents,
- Suppression of information, transactions or documents,
- Recording of transactions without substance, or
- Misapplication of accounting principles.

All employees shall work in accordance with both the Township controls established to prevent fraudulent misconduct and all applicable laws, regulations and government guidelines. All employees shall exercise honesty, integrity, objectivity and diligence and shall not knowingly be a party to any fraudulent activity, including theft. Each employee is encouraged to report, in writing, any knowledge or suspicion of fraud to their manager, Department head, or the Clerk Administrator. All Township managers are responsible for ensuring that adequate internal controls are in place to prevent and detect fraud. Management is accountable for monitoring employee activity and performance and ensuring all employees are aware of, and in compliance with, controls, policies and procedures. All confirmed incidents of fraud or theft committed against the Township may be viewed as acts of criminal activity and will be treated accordingly.

**SECURITY OF TOWNSHIP INFORMATION** It is every employee's responsibility to ensure that all information collected, produced or obtained in the course of their duties, whether in reports, memos, oral communication or electronic format, is as accurate as possible. No employee shall willfully mislead other employees, Township Councillors or the public, about any issue of Township concern.

Only with proper authority will employees give or release to anyone confidential information acquired in the course of that person's duties within the Township. The following information must not be used or disclosed, except in accordance with the Municipal Freedom of Information and the Protection of Privacy Act ("MFIPPA"):

- Information which is personal,
- Information that constitutes the proprietary information of a third party, individual or group,
- Might reasonably be regarded as having been disclosed to the employee in confidence,
- Is of a sensitive nature, or
- Imparts to the person in possession of such information an advantage not available to the public generally.

**5) PROTECTION OF INFORMATION** The Township records are available to employees on a "need to know" basis, and the security of such information must be maintained. Personal information controlled by the Township must be used or disclosed in compliance with the MFIPPA. The MFIPPA allows employees to use personal information if they require that information to carry out their duties, and if the affected individual reasonably expects that their personal information would be used this way. These requirements extend beyond an employee's current relationship with the Township.

For example, employees should not divulge to the Township any confidential information obtained from their former employer. Similarly, when an employee leaves the employment of the Township, they are not to disclose information that could be detrimental to the Township, individual or firm owning the information.

**MEDIA AND PUBLIC RELATIONS** Communications with the media and the public will be conducted so that all information originates from an authoritative source within the Township, typically the Clerk Administrator or Mayor. Prior approval from management for any media comments or public relations activities is required. Similarly, the employee must use caution to ensure that the Township's interests are not compromised in any way, either by use of Township letterhead, E-mail addresses or by any other implication. When participating personally in external or internal social media, employees should do so responsibly as they could be considered to represent the Township both inside and outside of work. Employees should consider the potential impact their comments may have on the Township's reputation, and be guided by the values and the standards set out in the Code of Conduct. Social media

is not an appropriate venue to express concerns about the employer, any agent of the employer, another employee, or any other person with whom an employee comes into contact in the normal performance of his/her duties, and inappropriate use of social media by an employee may lead to discipline up to and including termination.

**CONFLICT OF INTEREST** A conflict of interest occurs when, in the course of an employee's duties, the employee is called upon to deal with a matter in which the employee has a direct and indirect personal and/or financial interest. A direct interest can occur when an employee may derive, or be seen to derive, some financial or personal benefit or avoid financial or personal loss. An indirect interest may arise when the potential benefit or loss would be experienced by another person or corporation having a relationship with the employee. These benefits, interests, losses and relationships are generally financial in nature but are not limited to such. In other words, a conflict arises when an employee participates in activities, which could advance a personal interest at the expense of the Township's interests. Any behaviour, which is, or could be perceived as, a conflict is prohibited and subject to disciplinary action.

For example, an employee may not make a personal bid on the sale of Township property or goods, except those disposed of at public auction.

**6) GIFTS AND ENTERTAINMENT** 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.

**POLITICAL AND COMMUNITY ACTIVITY** to ensure public trust in the Township, employees must be, and appear to be, both personally impartial and free of undue political influence in the exercise of their official duties. The Township 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 Township. 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 Township management 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 Township assets, resources or property. Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees on Township work sites or on Township property.

**7) OUTSIDE BUSINESS ACTIVITY (MOONLIGHTING)** 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 Township employee, without the prior approval of their Department Head and the Clerk Administrator/ Council in writing

**REVISIONS** The Township's Employee Code of Conduct is a dynamic document meant to reflect our changing needs, realities and responsibilities. Therefore, as the Township evolves and new issues arise, the Code will be periodically reviewed and modified to reflect the current environment.

February 9, 2016