



Corporate Policy

Category: Human Resources
Sub-Category: General

Title: Code of Conduct for Employees

Policy Number: TBD
Approved by: Senior Management Team
Administered by: Human Resources
Effective: TBD

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1. Purpose

The Town of Minto offers a wide range of essential services to its residents. Employees must carry out their duties and responsibilities in a manner that ensures public and taxpayer confidence and trust. As an organization entrusted with public funds, the Town is obligated to ensure the protection and appropriate use of all its resources and assets. All employees of the Town of Minto are expected to meet a standard of conduct that exemplifies professional integrity in the course of their work to ensure public confidence and trust is maintained.

This Code is meant to support, but not replace, the use of good judgment regarding personal and professional conduct. The absence of a specific policy or regulation does not relieve any employee from the responsibility to exercise the highest ethical standards in those situations.

Town employees interact with each other, customers, community agencies, contractors, suppliers, and the public daily. Employees must be professional, polite, and respectful in each of these interactions. The Corporation's employees are the ambassadors of the Town; thus, each employee must be conscious of the Town's public duty and their part in the discharge of that duty. Every employee is therefore expected to conduct themselves with the highest degree of ethical behaviour and integrity.

The proper operation of a municipal government requires that employees be impartial, and responsible to the citizens; that their positions not be used for personal gain and that the public have confidence in the integrity of municipal employees. As such, all employees are expected to manage their responsibilities and any external interests or activities so that no conflicts of interest or commitment arise.

Employment with the Town of Minto carries with it certain rights and responsibilities. Employees should recognize that they are seen to exert influence on public policy decisions, and to have positions requiring neutrality and trust in dealing with the public.

2. Policy Objective

The Employee Code of Conduct establishes a shared and common foundation for acceptable behaviour, conduct and actions. These standards are designed to supplement the legislative parameters within which employees must work and are intended to support professional standards and ethical requirements already in place for many employees.

In addition to increasing the public's confidence and perception that employees for the Town of Minto ('the Town') operate from a base of shared values: integrity, respect, honesty and courtesy, this Code of Conduct is intended to foster a positive work environment and culture for our organization in support of Council's strategic objective to be an "Employer of Choice".

3. Application and Scope

This Code of Conduct applies to all employees of the Town of Minto regardless of their employment status.

Town Council and Committee members are governed by the Council Code of Conduct.

4. General Guidelines

All employees shall serve the Town of Minto with honesty and integrity, and in a conscientious and diligent manner.

Employees shall:

- a) Implement Council directions assigned through the CAO or designate in an impartial and effective manner.
- b) Understand and adhere to all Town by-laws, policies, and procedures.
- c) Understand and adhere to federal and provincial legislation in a manner that is consistent with such legislation.
- d) Act in cooperation with other Town staff members to foster a positive and inclusive team environment.
- e) Treat all members of the public fairly and consistently with care and respect.
- f) Understand and strive to further the objectives of the Town as determined in the Strategic Plan, approved by Council.
- g) Recognize their role as ambassadors and representatives of the Town.
- h) Understand and follow other policies and procedures that relate to workplace conduct.
- i) Avoid any perceived or real conflict of interest.
- j) Adhere to this Employee Code of Conduct and report any contraventions of the Code to a member of the senior management team, Human Resources, or other appropriate authority.

Employees must be professional, courteous, and objective in all interactions. All employees must treat everyone, including co-workers, with respect and courtesy in the execution of their duties.

Employees are requested to be mindful of their attire and to dress appropriately for their job. Each employee must also be cognizant of the requirement for protective clothing and equipment as noted in the Occupational Health and Safety Act and the Town's Health & Safety policies.

Employees shall devote their time at work to performing their work and assigned

duties.

5. Gifts, Entertainment and Other Benefits

Employees shall not, directly, or indirectly through a family member or otherwise, solicit any gift or accept/receive any gift or personal benefits or rewards which may be tied or inferred to be tied directly or indirectly to their position or the performance of their duties.

Employees shall not accept, directly or indirectly through a family member or otherwise, any gift, benefit, money, discount, favours, or other assistance, from any business or organization which has a contract with the Town or who will potentially be contracted to do business in the future, or who has other business with the Town including the need for licenses, permits, agreements, development activities, procurement activities or other Town approvals.

Employees shall not place themselves in a position where they may have, or may be perceived to have, an obligation to favour an individual or business or organization.

This shall not prohibit employees from receiving promotional gifts or benefits of nominal value (i.e., coffee mugs or pens with a company's logo). It is also recognized that in the ordinary course of business it may be appropriate for a business or organization to pay for an employee's lunch. Receipt of such a gift or benefit in the course of business will not be considered a breach of these rules assuming that such receipt is infrequent, (as defined by less than three times per year by the same business) and nominal in nature (defined by less than \$100 in value). All nominal gifts shall exclude alcohol or entertainment, such as sporting events or concerts.

No employee shall seek or obtain by reason of his or her position any personal privilege or advantage with respect to Town services not otherwise available to the general public except as authorized by law or policy of the Town.

An employee may accept a gift that is randomly distributed such as a door prize which is won by an Employee attending a conference, training session, or other event on behalf of the Town.

6. Confidentiality and Use of Municipal Information

It is every employee's responsibility to ensure information disseminated to Council members and the public is accurate and complete. No employee shall willfully mislead Council members, other employees, or the public about any issue of municipal concern. All information shall be released based upon appropriate communication protocols as established from time to time.

As required through their signing of a Confidentiality Agreement, every employee shall

ensure that confidential information provided through the course of their duties is kept strictly confidential and shall only be disclosed or otherwise released to authorized staff or as allowed by legislation. This shall relate to any time during or after their employment except as required by law.

Employees that have access to personal or confidential information shall become familiar with their obligations and responsibilities as outlined in various legislation including the Municipal Freedom of Information and Protection of Privacy Act.

No employee shall:

- a) Use information acquired through their official duties and not available to the public for personal advantage or pecuniary interest during or after their employment.
- b) Use confidential information to cause detriment or a benefit to others inappropriately.
- c) Release confidential documents or information until the matter ceases to be confidential as determined by Council, by policy or by legislation.
- d) Have access to information protected under legislation until it is specifically relevant to their responsibilities.
- e) Speak or write disrespectfully about the Town, another employee, a Council member, or Council's decisions. Any concerns regarding the conduct of another person including a contravention of the Code of Conduct by another employee or Council member shall be handled through the appropriate process as defined in this policy.
- f) Withhold information relevant to the wellbeing of the municipality, the security of its assets or any deficiencies in the way it is doing business from their supervisor and, failing their action, the next levels of management.

7. Conduct at Council/Committee Meetings

During Council and other meetings where employees are representing the Town, employees shall conduct themselves with decorum by adhering to the Town's Procedural By-law as amended from time to time. Respect and courtesy will be provided to delegations, Council members, other staff, and members of the public.

Employees shall make best efforts to ensure that Council is well informed on matters before them through reports and, as necessary, through verbal clarifications at the meeting. Each employee has a responsibility to ensure that such decorum occurs, both through their own conduct and by bringing to the attention of the CAO any inappropriate or offensive conduct that is observed.

8. Relationships with Staff and Members of Council

Employees will show respect for other staff members and Council members and recognize their distinct roles and responsibilities as defined by legislation.

Employees shall:

- a) Refrain from using their position to improperly influence other members of staff and/or Council members in their duties or functions or to gain an advantage or pecuniary interest for themselves, members of their family or other associates.
- b) Refrain from publicly criticizing other members of staff or individual Council members in a way that maliciously or falsely injures the professional or ethical reputation of another individual.
- c) Provide advice that is objective and based upon their professional expertise, politically neutral, and considering a corporate perspective, without undue influence from any individual member or group of members of Council or other outside interests.
- d) Be respectful that other staff and Council members have the right to a different point of view providing it is appropriately and responsibly shared, and further, that others are encouraged to respectfully challenge the opinions of others for the benefit of sound decision-making.
- e) Carry out Council directions and administer the policies and programs of the municipality without any undue influence from any individual member or group of members of Council or by any outside interests.
- f) Carry out responsibilities that are set out in legislation without any undue influence from any individual employee or Council member or group of members of Council or any outside interests.
- g) Be respectful and supportive of the Town's commitment to foster a positive and inclusive work environment that is free from discrimination, harassment, interference, intimidation, or coercion through personal adherence to the Town's Workplace Harassment Policy, the Ontario Human Rights Code, and other related policies and legislation.

9. Media Relations

Only the CAO or members of the Senior Management Team, or their delegates are authorized to speak to the media on policy matters unless otherwise authorized by the CAO or Department Head.

10. Public Statements

Employees shall not engage in negative communication against the Town in any manner, including social media, comments to the press and in interactions with others.

Employees shall obtain approval from their Department Head prior to speaking or writing publicly on a matter where they may be perceived to be representing municipal policy or the Town.

Employees shall not make inappropriate social media posts that would harm the reputation or breach the confidentiality of any Town of Minto employee, resident, or Council member or of any matter being dealt with by the Town. This includes social media posts made during off-work hours.

11. Use of Municipal Property

Employees shall not make use of any property (physical or intellectual) or Town assets for their personal gain, while employed or upon termination. This includes electronic data and technology. Town property shall only be used for activities associated with the discharge of an employee's official duties.

Employees shall not use Town vehicles or equipment for personal benefit or activities. Any equipment or supplies purchased by the Town in the exercise of the employee's duties (i.e., computers, cell phones, etc.) is Town property and will be returned to the Town at the conclusion of employment with the Town. In circumstances where an employee has been permitted to use a corporate cell phone for personal use, the usage shall be reasonable and not exceed the phone plan in place, any additional charges incurred to the Town will be the responsibility of the employee. Employees who are permitted to use a corporate cell phone for personal use acknowledge that this is Town property and shall not use this device for any purposes which may be a violation of this Code of Conduct or are unlawful or illegal and if there is cause to believe this has occurred the phone can be requested at any time.

No employee shall obtain financial gain from the use of Town-developed intellectual property, computer programs, technological innovations, or other patentable items, while an employee or thereafter. All such property remains the exclusive property of the Town of Minto.

No employee shall use information gained in the execution of their duties that is not available to the general public, for any pecuniary advantage for the employee or their family or for any other purpose not related to the implementation of their official duties.

Employees are accountable for ensuring that Town property or assets (including cash, cheques, valuable documents, inventories, tools, electronics, vehicles, and equipment, etc.) in their care as part of their job duties, is properly secured and always protected.

12. Political and Community Activity

To ensure public trust in the Town, employees must be, and appear to be, both personally impartial and free of undue political influence in the exercise of their official duties. Town staff, especially at the Management level, are discouraged from direct involvement in Town election campaigns, including posting election signs on their property.

No employee shall use Town facilities, services, or property in support of an election or re-election campaign, to express support for a political candidate, or to undertake any outside political activity.

Additionally, no employee shall accommodate any request from incumbents or any candidate to utilize their services during hours in which they are in the paid employment of the Town.

No employee shall represent themselves as a Town employee in their support of an election or re-election campaign.

An employee seeking the nomination or candidacy of any elected provincial or federal political office must request an unpaid leave of absence from the time of declaration of intent until the cessation of the election. If successful during the election, the employee shall be deemed to have resigned from employment immediately before making the declaration of office.

Employees can run for office in a local tier municipality without taking a leave of absence or resigning unless seeking election to Town Council. In that circumstance the employee shall provide written notice of their intent to take an unpaid leave of absence from the time of nomination until voting day. If successful, pursuant to the Municipal Act, the employee shall be deemed to have resigned from employment.

13. Fraud, Breach of Trust, and Other Criminal Activities

Employees shall not engage in behaviour that is fraudulent or that constitutes a breach of trust with the Town of Minto. A fraudulent activity includes, but is not limited to:

- a) Using deceit to gain a personal advantage, pecuniary interest, or benefit for oneself and/or others.
- b) Illegally obtaining money, including the solicitation and/or acceptance of bribes or favours.
- c) Intentionally providing false or incomplete or withholding information from Council and/or Town officials.
- d) Intentionally circumventing Town policies or procedures to gain a personal advantage for oneself and/or others.
- e) Planning or participating in a theft of Town property, or the use of said property to aid or conduct a theft of any kind.
- f) Personal use of or intentional damage of Town property.
- g) Undertaking any other illegal activity.

14. Conflict of Interest

A conflict of interest is understood to occur if an individual's personal affairs, business, or relationships overlap with their professional functions. A conflict exists where the employee could directly influence the decision made while performing their job duties and where they could indirectly influence the decision through exerting personal influence over the decision maker.

In order to avoid any conflict of interest, pecuniary interest or personal gain for the employee, their family or associates, an employee is not permitted to carry out any

assigned duties for which a conflict of interest is present or is perceived to be present.

It is a conflict of interest for an employee to engage in private employment or render services for any person, business or entity which has or may have business dealings with the Town of Minto.

Conflicts of interest could potentially arise in – but are not limited to – the following and employees shall avoid and recuse themselves from these situations of conflict:

- a) Decisions regarding the Town's procurement of goods and services.
- b) The advancement of an employee's personal business or outside activity.
- c) The advancement of another person's business or an outside organization for personal or indirect gain.
- d) Any other matters that involve oneself or close colleagues, family members, or friends (including any display of nepotism in appointments, decisions, or instructions to municipal staff).

15. Business/Other Organizations Relations

Employees must demonstrate transparency with regards to their relations with businesses and/or organizations who do business with the Town. No employee shall act as a paid agent before the Town or Council.

Employees shall recognize the need for their decision-making and actions to be viewed as impartial and transparent by refraining from having any pecuniary association with any business or organization that has interactions with them in the conduct of their duties and responsibilities. This may include but not be restricted to borrowing or receiving money, gifts, or services, directly or indirectly.

16. Other Employment or Business Activities

Employees may be permitted to participate in work or business activities outside of their normal tasks unless otherwise provided for in their employment contracts, provided that it does not interfere with their regular duties or that it does not cause a conflict of interest.

Interference is considered to be present if any of the following circumstances arise:

- a) The activity hinders the daily functions of the employee or their co-workers or is likely to have a negative effect.
- b) The activity is taking place during work hours, occurring in a staff member's office, or any other physical area in the workplace or is taking place using Town property (i.e., computers).
- c) The activity includes the use of an employee's knowledge of confidential plans, projects, or information about the business or holdings of the Town.
- d) The activity is being promoted with advertisements, flyers, posters, or any other method of communication that is distributed.
- e) The activity competes with Town services.

- f) The activity appears to influence or affect the carrying out of duties as a Town employee.

Employees shall disclose to their immediate supervisor if they accept any non-Town employment or conduct outside business activities. The employee's supervisor will disclose this information to the Department Head, and it will be evaluated to determine if there is real or perceived conflict of interest or if it may affect the employee's position with the Town. A record of this decision and any pertinent details regarding this situation will be submitted in writing to Human Resources to be retained in the employee's file.

17. Public Engagements

No employee shall charge a fee for taking part, during paid working hours, in a public speaking engagement such as radio/television broadcast, website broadcast or conference to which they were invited as a direct result of their position as an employee. Accepting a nominal gift for a speaking engagement during paid working hours is not a violation of this policy. It is not a violation of this policy for an employee to accept or charge a fee for speaking engagements during time off work unless such employees are representing the Town of Minto.

All requests that employees are invited to speak at a public engagement as a result of the discharge of their duties as a Town employee must be pre-approved by their Department Head.

18. Town Expenditures and Purchases

All employees with procurement responsibilities shall be familiar with and adhere to the Town's policies that govern procurement and purchasing.

Employees shall not spend Town funds on personal or non-work-related business or on frivolous acquisitions of items or services which may be unnecessary or viewed as a misuse of public funds.

The principles of ensuring fair, competitive, and transparent procurement processes will be supported and is a mandatory expectation.

19. Self-Governing Professions and their Standards of Conduct

Many staff are members of self-governing professions which have extensive Codes of Conduct. These Codes of Conduct will be considered to be part of the Town's Code of Conduct as though they were actually written into it, and a breach of these Codes will be a breach of the Town's requirements. If the Codes of Conduct of self-governing professions impose higher requirements than the Town's Code of Conduct, the more rigorous requirements will govern.

20. Revelation of Improper Behaviour – "Whistle Blowing"

A whistle blower acting in good faith shall not be subject to any type of retaliation or punitive measures and will be protected by the Town from slander or other mistreatment, however, false, malicious, or vexatious complaints may be grounds for discipline up to and including termination.

21. Disclosure

Whenever an employee considers that they could be involved in an actual or perceived conflict of interest, or in any other matter associated with this policy, the employee shall immediately disclose the situation to their Department Head or the CAO who will provide guidance.

Any employee, Council member, or a member of the public has the right to identify any alleged non-compliance. The individual shall bring the matter forward to the CAO, if it involves an employee, or the Mayor, if it involves the CAO.

Whenever an employee witnesses or suspects that a co-worker is in a conflict of interest or otherwise in breach of this Code of Conduct, he or she is obliged to report the issue to their immediate supervisor. In cases where the immediate supervisor is the person alleged to have conducted inappropriate behaviour, the employee will report the issue to the next level of supervision up to and including the CAO. In a case involving the CAO, the matter shall be reported to the Mayor.

22. Investigation

Upon receipt of an alleged contravention of the Code of Conduct, the CAO in consultation with the Department Head of the employee at issue and Human Resources shall determine the form of investigation to be conducted.

Depending on the nature of the severity of the breach of conduct, the employer may decide to undertake a formal investigation using either internal or external resources.

During the investigation, the employee concerned may be removed from the workplace on a leave of absence with pay. The employee will be provided with the alleged contravention and have the opportunity to respond to the alleged breach of conduct during the investigation.

23. Discipline

Nothing in the aforementioned prevents the employer from addressing inappropriate activities not specifically listed.

Any contravention of this Code of Conduct is grounds for discipline up to and including termination for cause.

Any transgression of an illegal matter will be reported to the appropriate authority.

24. Severability

The provisions of this Code of Conduct are severable, if any provision, section, or word is held invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections, or words.

25. Definitions

CAO means the Chief Administrative Officer of the Town of Minto.

Confidential Information means information or records that are in the possession, in the custody of or under the control of the Town, that the Town is either precluded from disclosing under the *Municipal Act, 2001* or other applicable legislation, its Procedural Bylaw, or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation.

Conflict of Interest means a situation in which an employee has competing interests or loyalties between their personal or private interests and their public interests as a representative of the Town of Minto such that it might influence their decision in a particular matter.

Misconduct consists of an action contrary to any part of this Code including but not limited to Conflict of Interest or Pecuniary Interests, the normal requirements of the position held, Town Bylaws, Provincial Offences Legislation, the Human Rights Code, or the Canadian Criminal Code.

Vexatious means troublesome or annoying in the case of being instituted without sufficient grounds and serving only to cause irritation and aggravation to the person being complained of.

Whistleblowing can be described as the identification and announcement of an observed or suspected misconduct by another employee or individual.

26. Acknowledgement and Consent

New and existing employees must sign and acknowledge they have reviewed the Code of Conduct and that they will adhere to the Code of Conduct as a condition of employment.

27. References and Related Documents

Occupational Health and Safety Act
Municipal Act, 2001
Municipal Freedom of Information and Protection of Privacy Act
Municipal Conflict of Interest Act

Town of Minto Health and Safety Policies and Procedures
Town of Minto Workplace Violence and Harassment Policy
Hiring Practices (Employment of Relatives Policy)
Procurement Bylaw
Human Rights Code
Canadian Criminal Code

28. Review Schedule

Date	Description
TBD	Approved
TBD	Next Scheduled Review