

# TOWN OF DUNDURN POLICY MANUAL

## EMPLOYEE CODE OF CONDUCT

<i>Section</i> HR-251-1	<i>Classification</i> Human Resources
<i>Subject</i> Employee Code of Conduct	<i>Pages</i> 11
<i>Authority</i> Council	<i>Effective Date</i> November 18,2019
<i>Approved (date)</i> November 18, 2019	<i>Motion No.</i> #18

### 1. Purpose

The purpose of this document is to provide guidance to Town employees on the conduct required by law or expected by them in the fulfillment of their duties. All employees shall be aware of, and adhere to, the standards of conduct outlined in the Town of Dundurn Code of Conduct, subject to the provisions of applicable employment agreements and all applicable legislation. This Code of Conduct is intended to:

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

### 2. Principles

Town of Dundurn employees must observe high 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 town, in their dealings with persons doing or seeking to do business with the Town of Dundurn.

Employees must not engage in any conduct or activity that contravenes town bylaws, policies and procedures or any law in force in Saskatchewan which might:

- detrimentally affect the Town'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 Town's ability to efficiently manage and direct its operations.

### 3. Duties

**Council or appointed Administration committee** shall:

- a) periodically review, and modify as necessary, the code of conduct policy to ensure it reflects the Town's changing needs, realities and responsibilities;
- b) review, when requested by the Town Administrator/CAO, reported cases of violation of the code of conduct and approve any resultant action as appropriate;
- c) ensure, with the assistance of the Administrator/CAO, that all employees are made aware of and comply with the Town's code of conduct.

**The Town Administrator/CAO shall:**

- a) implement, administer and promote the employee code of conduct;
- b) provide a copy of the code of conduct for signature of acknowledgement to all employees and keep in their employment record file.
- c) ensure that all department head personnel are made aware of and comply with the code of conduct;
- d) ensure that Department Heads inform their department employees of and promote the ethical standards expressed within this policy;
- e) advise Council or it's appointed Administration Committee on desirable modifications to the code of conduct;
- f) investigate and review, in consultation with Council or it's appointed Administration Committee where deemed necessary, reported cases of violation of the employee code of conduct, and approve and/or administer any subsequent corrective action.

**Department Heads shall:**

- a) ensure all employees of the Department are aware of and comply with the employee code of conduct;
- b) report to the Administrator/CAO any possible violations of the code of conduct by departmental personnel and implement appropriate preventative or corrective action.
- c) advise the Administrator/CAO on desirable modifications to the code of conduct;

**4. General Responsibilities**

a) General Conduct

Employees are agents of the public and are employed for the benefit of the citizens. In that regard, they are to uphold and carry out the laws of the town, as well as applicable federal and provincial laws, to foster and enhance respect for government. As public servants, they are to observe in their official acts a high standard of ethics and to discharge faithfully the duties of their employment regardless of personal or financial considerations and interests.

b) Dedicated Service

All employees shall be loyal to the objectives established by Council and the programs developed to attain those objectives. Employees should adhere to the rules of work and performance and ethical standards established as the standard for their positions by the appropriate authority. Employees shall not in their employment capacity, either privately or publicly, contradict or fail to present the official policy established by Council or the Administrator/CAO.

Employees must not exceed their authority or breach the law or ask others to do so, and they shall work in cooperation with other public officials and employees unless prohibited from doing so by law or by officially recognized confidentiality of their work.

**4. Fair and Equal Treatment**

a) Use of Public Property

Unless provided for under separate policy, Administration approval or when available to the public generally, the use of town-owned vehicles, buildings, equipment, materials, supplies, and services are only to be used to conduct official town business or events.

b) Obligation to Citizens

No employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

## 5. Conflict of Interest

No employee shall engage in any business or transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in the public interest or would tend to impair their independence of judgment or action in the performance of their official duties. Personal, as distinguished from financial, interest includes an interest arising from family or marriage relationships or close business or political association. Specific conflicts of interest are enumerated, as follows, for the guidance of employees:

a) Incompatible Employment

No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his or her official duties or may impair his or her independence of judgment or action in the performance of his or her official duties.

b) Disclosure of Confidential Information

Every employee must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the Town of Dundurn. Confidential information means information that is not part of the public domain and information designated by Council as confidential, including, but not limited to, personal information, internal policies, items under any legal proceeding, etc. 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.

c) Gifts and Hospitality

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) lunch or dinner are considered acceptable.

d) Contracts with the Town

No employee shall have any interest in any contract made by him or her in their official capacity, except that an employee of the Town may contract with the Town, or any agency thereof, for the sale and purchase of supplies, material or equipment or for the rental thereof or for the construction of public improvements if:

- i) he or she is not authorized by law to participate on behalf of the Town or any agent thereof, in the awarding of the contract; and,
- ii) the contract is made upon a competitive bid in writing, publicly invited and publicly opened; and,
- iii) all bids received and all documents pertaining to the award of the contract are available for public inspection in accordance with *The Municipalities Act*; and,
- iv) he or she refrains from participating in any decisions made in relation to the contract.

e) Disclosure of Private Interests

Administration/CAO, Department Head's and Senior Management, staff shall complete a list of all private interests, as indicated on the "Disclosure of Private Interests by Municipal Employees" form attached as Schedule 'B', before entering the duties of his or her office and immediately upon any change in information.

f) Political Activity

All employees shall refrain from direct involvement in a local government political campaign in the Town where they are employed. Employees may be involved in provincial or federal campaigns as long as this involvement does not affect their objectivity with official job duties.

Any employee of the Town may seek nomination and election to the Council, subject to compliance with the provisions of *The Local Government Election Act*, and *The Saskatchewan Employment Act*, provided that such employees are not otherwise disqualified by *The Local Government Election Act* from being nominated or elected, or to hold office as a member of the Council. No employee shall promise an appointment of any town position as a reward for any political activity.

h) Representing Private Interests before a Municipal Agency

No employee shall appear on behalf of private interests before any agency or court of the municipality without the consent of the Administrator/CAO. The employee shall not represent private interests in any action or proceeding against the interests of the municipality or in any litigation to which the municipality is a party to. Furthermore, no employee shall accept compensation or a retainer which is conditional upon the actions of a municipal agency.

i) Insider Information

No employees shall personally profit from any information gained in the course of fulfillment of their duties. Insider information may include, but it is not limited to, significant business developments, expansion or curtailment of operations, sale or purchase of town assets or other activity of significance.

j) Use of Influence

No employee shall 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.

## **6. Termination or any temporary leave of absence**

Upon termination, or any temporary leave of employment, employees shall deliver to their supervisor all town owned correspondence, password, keys, images, drawings, documents, computer files, paper files, computers and devices and all other property belonging to the Town which may be in the employee's possession or control. This includes property made or prepared by the employee and relating in any way to the affairs of the Town.

## **7. Municipal Computer, Devices and Intellectual Property**

Town business email address' and internal mail are provided only for Town business and sponsored activities and must not be used for personal business whereby the receiver would interpret the personal content of the email as being sanctioned by the town.

No employee shall sell, transfer, publish, disclose, display or otherwise make available computer programs, purchased software programs, technological innovations, or other tangible property or rights owned by the municipality.

No employee shall install personal software on town computers, download none work related software on town equipment without prior approval, store large amounts of non-work-related data on town computers, access, communicate, distribute or display racial or ethnic slurs, threats, insults, obscenities, abuse, defamation or lewd or sexually explicit material on town computers.

Employee cell phone usage and compensation parameters for either BYOD or employer provided devices shall be guided by Cell Phone Policy 250-13. It is the employee's responsibility to familiarize themselves with this policy.

## **8. Municipal Security**

All employees shall take all necessary precautions to keep safe and secure all town keys, passwords, locks to all equipment, buildings and electronic devices. Should there be a breach in security, (example lost keys, stolen passwords), you must immediately report the breach to your supervisor or department head.

## **9. Workplace Safety**

Employees shall work in accordance with the Occupational Health and Safety Act and departmental procedures and shall ensure all applicable safety regulations and procedures are followed. They will not conduct their work activities in a manner that may cause injury to themselves or others, or damage equipment or property.

## **10. Personal Relationships and Family Members**

The Town permits individuals in close personal relationships to be employed at the town but under strict guidelines that are designed to prevent the creation of situations where preferential treatment could exist or be perceived to exist.

Employees, Council and Administration must not have influence, input or participate in decisions related to the hiring, engagement, evaluation, promotion or establishment of terms and conditions of employment or contracts of anyone with whom they have a close personal relationship or family.

Prospective employees, industry partners or contractors in close personal relationships with current employees, Council or Administration are generally not eligible for hire in the same department in which the current employee is employed, if the hire would create a supervisory relationship between the two individuals.

In exceptional circumstances, the hire may be allowed by special approval from the Council in consultation with the Administration Committee, if the hire is necessitated by bona fide occupational needs, the unique qualifications of the prospective employee.

Employees in close personal relationships with other employees are not eligible for transfer or promotion to the department or work unit in which the other employee is employed if the transfer or promotion would create a supervisory relationship between the two individuals.

Any personal relationships between employees and those that supervise them or have influence over them must be immediately disclosed to the Administration Committee who must follow the advice of the town solicitor to prevent any further conflict of interest.

## **11. Harassment**

Employees during their assigned duties must refrain from physical or verbal abuse or threats towards fellow employees, employer or members of the public. Employees also have the right to a harassment free workplace from fellow employees, employer and members of the public as per [Policy 250-99](#).

## **12. Other Codes of Ethics and Rules of Conduct**

This code of conduct policy shall be in addition to any other codes of ethics or rules of conduct that may govern the conduct of town officials and employees.

Where any employee is required to be a member of a professional organization or association by the nature of his or her occupation and the employee is bound to observe the professional organization's or association's code of conduct or rules of conduct, a breach of such code of conduct shall also be considered a breach of this code of conduct policy.

## **13. Use of Alcohol, Cannabis and Drugs**

Employees are expected to report to work in a fit condition to carry out their work duties. Employees reporting to work in an unfit condition will be sent home without pay. The Town considers as being unfit if an employee is suspected to be under the influence of alcohol or other substance which may affect their ability to perform adequately or employee safety.

The employer recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Please contact your supervisor for more information about the benefits potentially available under the employee medical benefit plans and any possible referral sources. Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the employee abstains from use of the problem substance while on leave, abides by all organization policies, rules, and prohibitions related to conduct in the workplace, and if the organization suffers no "undue hardship" as a consequence of granting the leave.

#### **14. Standards of Dress**

- a) Town employees should project a professional image;
- b) Clothing should be appropriate to the duties and generally established standards and should be kept neat, clean and tidy;
- c) Employees should wear a uniform where or when required;
- d) Public Works Staff should wear/carry employee identification if attending business to private properties;
- e) A "business casual" standard is expected of employees working in offices or meeting with clients, stakeholders, community members, or colleagues outside the office. The principle behind this definition is that as professionals working for government, should always be dressed in a manner that is suitable to meeting the requirements of their positions (e.g., Investment groups, potential business owner, meetings with supervisor, manager or director, or council, members of the public, and/or representatives from other organizations or Ministries);
- f) "Business casual" clothing should be appropriate and in good taste; examples of inappropriate choices are provided below:
  - i. Stained, torn, or patched clothing
  - ii. Gym wear including sweats and yoga pants
  - iii. Shorts
  - iv. T-shirts with controversial or offensive messages or logos
  - v. Attire that is unnecessarily revealing
  - vi. Dirty, damaged, or worn footwear;
- g) Town employees are also encouraged to choose appropriate and safe footwear; or wear appropriate footwear for the position as per OHS standards;
- h) While Casual Fridays allow a reprieve from the more formal attire requirements of the week, employees should also consider their schedule for that day (meetings, client contact, etc.) and adjust accordingly. Employees are expected to use their best judgment to determine what is appropriate and if in doubt, consult their supervisor;
- i) Supervisors are expected to immediately address inappropriate dress of an employee.

#### **15. Compliance**

Employees are expected to comply with the Code of Conduct and sign Schedule 'A' that they have read and acknowledge their duty to comply after 30 days of receipt of policy. Employees have a responsibility to request an interpretation of the Code from their Department Head 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 of Conduct, the employee must disclose the conflict or potential conflict in writing to:

- a) Their direct supervisor, in the case of any employee, who must immediately advise the Administrator/CAO; or
- b) Council or the Administration Committee, in the case of the Administrator/CAO.

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 and determine an appropriate course of action to address the actual or potential conflict.

In addition, any employee who has contravened this Code and did not come forward with a disclosure or act upon any corrective action required, shall be subject to such disciplinary actions (up to and including dismissal) as is deemed appropriate by the Council or their appointed Administration Committee under the circumstances.

Examples of disciplinary actions that may be taken if an employee fails to disclose a conflict or if found to have violated the code of conduct include:

- a) disciplinary letter(s), copy to be place in the employee's file;
- b) employee training (ethics), depending on the seriousness of the violation;
- c) short-term suspension;
- d) long-term suspension; or
- e) termination – with legal consultation.

13.1) If an employee is accused of violating this policy, the procedure will be as follows:

- a) the employee will be encouraged to document their version of the alleged incident, including times, places, what happened and any witnesses.
- b) the complainant will present their version of the alleged incident, in writing to the Administrator/CAO, in similar fashion. Administration will direct the matter to Council or the appropriate Committee.
- c) Council or the appropriate Committee will deal with the issue as quickly as possible and make a judgment after reviewing, interviewing, investigating and confirming the details. Their recommendation for action will be presented 'in camera' for Council approval. If the complaint is unfounded and/or made in bad faith, this will surface and be dealt with during the investigative process.

13.2) Any employee or complainant may also appeal any disciplinary action if they have to new information regarding the incident or situation that is relevant.

13.3) Any employee under investigation for suspected fraud or other wrongdoing may be removed from the workplace, with pay, or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the Town.

13.4) Nothing in this Code is intended to conflict with the Town's obligations to its employees under any collective agreements or contracts if they exist. Nor is this Code intended to undermine the firm commitment to the well-being and professional treatment of employees.

## 16. Definitions

Administrator -	Municipal Administrator as appointed by Council under <i>The Municipalities Act</i> .
CAO -	Municipal Administrator as appointed by Council under <i>The Municipalities Act</i> .
Conflict of Interest -	A situation in which a public employee, either for themselves or some other person(s), attempts to promote a private or personal interest which results or appears to result in: <ul style="list-style-type: none"><li>• an interference with the objective exercise of Public service duties; or</li><li>• a gain or an advantage by virtue of their position in the public service.</li></ul>
Department Head -	A supervisor or the person to whom you immediately report to in your position by established protocol.
Family -	A member of an employee's family including but not limited to a spouse, common-law spouse, partner and children (including adopted children), mother or father.
Personal Relationship -	A relationship that is other than a professional or casual acquaintance between: an employee and a Councillor; an employee and a Supervisor or Department Head; And includes: a relationship of sexual, romantic or emotional manner; a relationship that could result in real or perceived favoritism, conflict of interest or breach of security; or a relationship that might bring the Town into disrepute, or compromise workplace safety personal or professional integrity.
Supervisor -	Person to whom you immediately report to in your position by established protocol.

Note: The information in this document refers to *The Municipalities Act Section*, Section 111.1

**TOWN OF DUNDURN  
Employee Code of Conduct Schedule 'A'**

**Employee**

**I acknowledge receipt of Employee Code of Conduct to read within 30 days of date as indicated below.**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
(Please Print Name)

\_\_\_\_\_  
Date

**My Commitment to Upholding the Employee Code of Conduct** (to be signed by employee after 30 days of receipt of code of conduct)

I am confirming that I have read and agree to follow the Town of Dundurn Employee Code of Conduct and I understand the consequences of not adhering to it.

I understand that if I choose not to sign this document, I am still obligated to comply with it.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
(Please Print Name)

\_\_\_\_\_  
Date

\*\*\*\*\*

**Administrator/Department Head/Admin. Committee**

By signing this document I am confirming that I have provided this Employee Code of Conduct to the employee identified above, on \_\_\_\_\_ and given the employee 30 days to read and acknowledge the contents as is my duty under the Code as the employer representative.

\_\_\_\_\_  
(Supervisor Signature)

\_\_\_\_\_  
(Please Print Name)

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Witness Signature & Print Name)

**TOWN OF DUNDURN**  
**Employee Code of Conduct Schedule 'B'**  
**DISCLOSURE OF PRIVATE INTERESTS BY MUNICIPAL EMPLOYEES**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
 \_\_\_\_\_

**Definitions:**

1. **"controlling interest"** means an interest that a person has in a corporation if the person beneficially owns, directly or indirectly, or exercises control or direction over shares of the corporation carrying more than 25 per cent of the voting rights attached to all issued shares of the corporation.
2. **"council, council committee, controlled corporation, or other body"** includes any committee or subcommittee of a committee, and any board, agency or commission, appeal board, or other body, on which a member of council serves in his or her capacity as a member of council.
3. **"family"** means the spouse and children of an employee. It does not include siblings, parents, or grandparents.
4. **"private interest"** is involvement in a business or personal matter where your participation on council in a municipal decision may be seen as influencing or benefitting from the outcome. It does not include interest in a decision that is of general public application or that affects a person as one of a broad class of persons.
5. **"senior officer"** means the chairperson or vice-chairperson of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any of those offices.

**Disclosure of Employer, Sources of Remuneration**

The name of every employer, person, corporation, organization, association or other body from which I or someone in my family receives remuneration for services performed as an employee, director, manager, operator, contractor or agent.

Employee Name or Name of Family Member	Payee	Nature of Relationship

**Disclosure of Corporate Interests**

The name of each corporation in which I or someone in my family has a controlling interest, or of which I or someone in my family is a director or a senior officer:

Employee Name or Name of Family Member	Name of Corporation

**Disclosure of Partnerships**

The name of each partnership or firm of which I or someone in my family is a member.

Employee Name or Name of Family Member	Name of Partnership or Firm

**Disclosure of Business Arrangements**

The name of any corporation, enterprise, firm, partnership, organization, association or body that I or someone in my family directs, manages, operates or is otherwise involved in that:

- (a) transacts business with the town;
- (b) the council considers appropriate or necessary to disclose<sup>1</sup>; or
- (c) is prescribed.

Employee Name or Name of Family Member	Name of Corporation, Enterprise, Firm, Partnership, Organization, Association, or Body

**Disclosure of Property Holdings**

The municipal address or legal description of any property located in the Town of Dundurn or an adjoining municipality that is owned by:

- (a) me or someone in my family; or
- (b) a corporation, incorporated or continued pursuant to *The Business Corporations Act* or the *Canada Corporations Act*, of which I or someone in my family is a director or senior officer or in which I or someone in my family has a controlling interest.

Owner(s)	Municipal Address or Legal Description	Municipality

**Disclosure of Contracts and Agreements**

The general nature and any material details of any contract or agreement involving me or someone in my family that could reasonably be perceived to be affected by a decision, recommendation, or action of the Council and to affect my impartiality in the exercise of my office.

Employee Name or Name of Family Member	General Nature and Any Material Details of Any Contract or Agreement

**DECLARATION**

I, \_\_\_\_\_, of the \_\_\_\_\_, in the Province of Saskatchewan, do hereby declare that to the best of my knowledge, information and belief, the statements and allegations contained and made in this form are true and complete, and I make this declaration for the purposes of official registration, in the full knowledge that it will be available for public examination.

\_\_\_\_\_  
Signature of Declarant

Declared before me at the Town of Dundurn in )  
the Province of Saskatchewan, this \_\_\_\_\_ )  
day of \_\_\_\_\_, 20\_\_\_\_. )

\_\_\_\_\_  
Witness

<sup>1</sup> Described in a municipal  
Human Resources Policy HR-251-00