

Town of Greater Napanee Employee Code of Conduct



Adopted: August 18, 2020 by Council Resolution #389/20

Introduction

This Code of Conduct is to ensure all employees understand the Corporation of the Town of Greater Napanee's ("**the Town**") expectations with respect to an employee's standard of conduct while representing the Town.

This Code of Conduct operates with and as a supplement to all other policies and bylaws of the Town and all applicable federal and provincial laws and regulations.

Section 1: Policy Purpose:

- 1.1 The Code of Conduct sets out and identifies the Town's expectations for its employees and establishes rules and guidelines for appropriate conduct that are guided by the principles of integrity, impartiality, accountability, and respect.
- 1.2 The purpose of this Code of Conduct is to:
 - a) to set out clear expectations of behaviour;
 - b) to provide guidance to members of Council and local Boards in the management of their employees; and
 - c) to provide managers with a clear understanding of the Town's expectations for employees.
- 1.3 This Code of Conduct is not intended to be a complete guide to all ethical questions or dilemmas that an employee may face. Just because an unethical or questionable action is not specifically addressed in this Code does not mean that such conduct is permitted. Rather, employees should be guided by the expectation of integrity, impartiality, accountability, and respect in all that they do.

Section 2: Application

- 2.1 This Code of Conduct applies to all Town employees. It applies to an employee's conduct on-duty and may be applicable to an employee who is off-duty if the conduct has a connection to the employee's employment duties.

Section 3: Definitions

3.1 In this Code of Conduct, the specified terms are as follows:

“Conflict of Interest” means circumstances in which an employee or a member of his/her family has a direct or indirect pecuniary interest in a Town decision or proposed decision and the employee is in a position to possibly influence the Town’s decision.

“Employees” means Town employees, whether full-time, part-time, contract or casual including students, Volunteer Firefighters and employees of Local Boards.

“Member of Family” means a spouse, parent, parent of a spouse, a child or grandchild, child or grandchild of a spouse, grandparent, grandparent of a spouse, uncle, aunt, sibling, sibling of a spouse or anyone residing in the employee’s household.

“Local Boards” means the Town’s Committee of Adjustment or the Napanee Business Improvement Area (BIA) and any other local board as defined in the *Municipal Act, 2001*.

“Social Media” means web-based applications and online platforms that allow users to interact, share and publish content such as text, links, photos, audio and video with the public.

“Town Property” means items, services, facilities, lands, resources which belong to the Town, including the Town’s official website and social media accounts.

Section 4: Responsibilities

4.1 Employees shall observe and comply with every provision of this Code of Conduct, as well as all applicable legislation and other policies, procedures, and by-laws adopted or established by Council.

4.2 All employees are expected to carry out the duties of their position and conduct themselves as representatives of the Town in a manner that upholds the following principles: Integrity, Impartiality, Accountability, and Respect.

(a) Integrity: employees are expected to act with honesty and fairness

(b) Impartiality: employees are expected to carry out their duties in the best interest of the Town. Employees must be independent of any improper external influences or pressures and must put public interests above personal interests.

(c) Accountability: employees are accountable to the Town, Council, and the residents of the Town. Accountability requires transparency and a

readiness to give an explanation or justification to stakeholders for one's actions, intentions, or judgments.

- (d) Respect: the Town values an open, respectful, and inclusive workplace and community. Employees are held to the highest standard of behaviour in their conduct towards each other, members of Council, and the public at large, and must respect the dignity of all individuals.

Section 5: Conflict of Interest

- 5.1 Employee must disclose, and take reasonable steps to avoid, any real, apparent, or potential conflict of interest.
- 5.2 Employees shall immediately declare to Human Resources in writing when they become aware or ought to reasonably be aware of circumstances that create a real, apparent, or potential conflict of interest.
- 5.2 Should a conflict be declared, the General Manager and Chief Administrative Officer or their designates, shall jointly in writing, provide direction to the employee on a process for the employee to follow where it is determined that a conflict of interest exists. Such direction may create a change in approval authority, decision making or position duties under certain circumstances to prevent or eliminate the conflict. Such changes are not punitive.
- 5.3 If an employee declares a potential conflict of interest or is the subject of an allegation of a conflict of interest, the employee shall cease all actions related to that matter until a written response has been received from the Chief Administrative Officer and the General Manager or their designates.

Section 6: Use of Municipal Information

- 6.1 No employee shall:
 - (a) use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.
 - (b) disclose or release by any means to any member of the public, any confidential information acquired by virtue of his or her office, either oral or written, except when required by law or authorized by Council to do so.
 - (c) use confidential information for personal or private advantage or gain or, for the gain of a member of the employee's family.

- (d) access or attempt to gain access to confidential information in the custody or control of the Town unless it is necessary for the performance of his or her duties.

6.2 Requests for information from third parties, other than routine information obtained while performing normal duties, should be referred to the office of the Clerk to be addressed as a formal request under the *Municipal Freedom of Information and Protection of Privacy Act*.

Section 7: Use of Town Property and Services

7.1 No employee shall:

- (a) use any municipal property, equipment, services and/or supplies other than for purposes connected with the discharge of his or her employment duties or associated community activities of which Council has been advised and has approved; or
- (b) obtain financial gain from the use of municipally developed intellectual property, computer programs, technological innovations or other patentable items.

Section 8: Fraud & Breach of Trust

8.1 Employees shall not engage in conduct that is fraudulent or that constitutes a breach of trust with the Town. Such conduct includes but is not limited to:

- (a) using deceit to gain a personal advantage, pecuniary interest, or benefit for oneself or family member;
- (b) intentionally providing false or incomplete information to or withholding information from a supervisor or Council;
- (c) planning or participating in the theft of Town property or time.

Fraud and/or breach of trust by employees is considered a major form of misconduct.

Section 9: Communications and Media Relations

9.1 All communications made by employees as part of their duties shall be handled in a courteous and respectful manner. An objective and impartial attitude shall be maintained in dealing with all members of the public as they have a right to present their views.

- 9.2 As Head of Council, the Mayor or a designate shall communicate official information related to Council decisions to the community and the media.
- 9.3 Employees shall accurately communicate information concerning the adoption of policies, procedures and decisions of Council, even if they disagree with the decision of Council or the local board.
- 9.4 When communicating with the media, employees should refrain from speculating or reflecting upon the motives of other employees or Council Members in respect of their actions.

Section 10: Gifts

- 10.1 Employees are prohibited from soliciting, accepting, offering, or agreeing to accept any gift or benefit, including a gift or benefit to a member of the employee's family that is connected directly or indirectly with the performance of the employee's duties or could reasonably be construed as being given in anticipation of future or recognition of past "special consideration".
- 10.2 Section 10.1 does not prohibit employees from accepting token gifts, souvenirs, or hospitality of a nominal value (i.e. less than \$100) offered as an incident of protocol, social obligation, or courtesy that are within the normal standards of hospitality as long as such token gifts or benefits do not raise concerns about the employee's impartiality.
- 10.3 Employees must provide a written record to Human Resources before December 31st of each year stating the gift offered, the offering person, the date, and approximate value of any gift offered, and report which gifts were accepted or declined no matter the value of the offer made.
- 10.4 Incidental items provided to employees at conference trade shows including random draws or from registering at training sessions are not considered gifts.
- 10.5 Where groups of employees are invited to attend events or educational sessions at reduced or no cost, they may do so with the approval of the Chief Administrative Officer.

Section 11: Social Media

- 11.0 An employee shall:
 - (a) adhere to the Town's Social Media policy;
 - (b) refrain from making disparaging comments, posting offensive pictures or videos about other employees, members of Council, Town volunteers or

about Council's processes and decisions on personal or third-party internet or social media sites;

- (c) not post any confidential information from municipal operations or activities on any social media site or any other internet site.

Section 12: Disclosure/Complaints & Investigation

- 12.1 If an employee considers that he or she is involved in any matter that may result or has resulted in a breach of this Code of Conduct, the employee shall immediately disclose the circumstances to their Manager, the Safety Compliance and Accessibility Co-ordinator or Human Resources.
- 12.2 If an employee witnesses or suspects that another employee is in breach of this Code of Conduct, the employee must report the issue to their Manager, the Safety Compliance and Accessibility Co-ordinator or Human Resources.
- 12.3 Employees shall be protected from any form of reprisal for reporting breaches of this Code of Conduct; however, false and malicious complaints may be grounds for discipline up to and including termination for cause.
- 12.4 Upon receipt of an allegation that this Code of Conduct has been contravened, the General Manager or the Chief Administrative Officer or their designates shall determine the form of investigation to be conducted. Depending on the nature and severity of the alleged breach, the Town 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. However, the employee will have the opportunity to respond to the allegation of a breach of this Code of Conduct during the investigation.
- 12.5 Where the Chief Administrative Officer is alleged to have breached the Code of Conduct, Council shall determine the form of investigation to be conducted.
- 12.6 If an employee is found to have breached the Code of Conduct the employee shall be subject to discipline under the Town's Discipline Policy.

Section 13: Attestation

- 13.1 After the adoption of this Code of Conduct, Managers and employees will review this policy during performance appraisals.

Section 14: Conflicts with Other Policies or By-laws

- 14.1 Where a conflict exists between this Code of Conduct and another policy or by-law, the more restrictive shall prevail.