

<b>SECTION:</b> Human Resources		<b>POLICY #:</b> HR-002
<b>Date Approved:</b> December 17, 2012		<b>Employee Code of Conduct</b>
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## INTRODUCTION

The Town's most valuable and important assets are its employees, and therefore, the highest standards of behaviour are expected. All employees are expected to be aware of, and in compliance with this Code and its related policies.

Each Town employee must perform their duties in a manner that maintains and enhances public confidence and trust in their integrity, objectivity and impartiality. Trust and mutual respect are the cornerstones of any relationship between the public and municipal governments. Furthermore, as an organization entrusted with public funds, the Town of Hanover is obligated to ensure that protection and appropriate use of all its resources and assets.

## PURPOSE

The purpose of a Code of Conduct for municipal employees is to foster universal understanding of the fundamental rights, privileges and obligations of a local government employee. A Code of Conduct serves as an embodiment of basic principles of integrity, honesty, impartiality and common-sense, and recognizes that a municipal employee has a responsibility to uphold these principles. The Code of Conduct is also intended to recognize implicitly that an employee of a municipal corporation is entitled to the same basic rights and freedoms afforded to all citizens.

## Media Relations

Staff should exercise care when communicating with the media on municipal matters. Only Department Heads and the Chief Administrative Officer/Clerk should comment to the media on any Town matter, unless otherwise authorized by the Department Head and/or Chief Administrative Officer/Clerk. Please refer to the Personnel Policy in Section D that deals with employee contact with the media. This provision is not intended to restrict the ability of employees to express an opinion on non-municipal general interest matters, where the employee makes it clear that he/she is commenting as a private citizen, and not in his/her capacity as a municipal employee.

## Confidential Information

Where a member of the public requests information regarded as confidential by the Town of Hanover, they must be referred to the Chief Administrative Officer/Clerk who will advise them of the formal procedures in accordance with the Municipal Freedom of Information and Protection of Privacy Act.

## 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, or has been involved in, a matter in which the employee has a direct or indirect personal interest.

A direct interest arises when an employee may derive, or be seen to derive, some personal benefit or avoid personal loss. An indirect interest arises when the potential benefit or loss would be experienced by another person or corporation having a relationship with the employee. These benefits, losses, interests and relationships are generally financial in nature but are not limited to such.

In other words, a conflict arises when any employee participates in activities that advance a personal interest at the expense of the Town's interests, which include public trust and confidence. Any behaviour, which is, or could be perceived as, a conflict is strictly prohibited and subject to corrective measures.

Employees of the Corporation, as a condition of employment, are required to avoid involvement in any situation, activity or issue that could present a perceived, real or potential conflict of interest between the employee and the Corporation by adversely affecting:

- The employee's performance of duties and responsibilities as an employee of the Corporation; and/or
- The relationship of mutual trust and responsibility that is necessary between the Corporation and its employees; and/or
- The interest of the Corporation, financial or otherwise, the reputation of the Corporation in the community or any other legitimate concern of the Corporation as addressed by the Chief Administrative Officer/Clerk.

## **Principles of Conduct**

An employee shall not:

- Conduct external business activities that compete with Town services;
- Engage in any business or transaction or have a financial personal interest that is incompatible with the discharge of the employee's official duties, or corporate interests;
- Be under an obligation to any person who might benefit from special consideration or favour from the employee or who might seek, in any way, preferential treatment;
- Give, in the performance of official duties, preferential treatment to relatives or friends or to organizations in which relatives or friends have an interest, financial or otherwise;
- Deal with an application to the Town for a loan, grant, award, or other benefit which involves themselves or immediate relatives, be in a position where the employee could derive any direct or indirect benefit or interest from any contracts about which the employee can influence decisions;
- Benefit from the use of information acquired during the course of official duties that is not generally available to the public in any outside work or activity or business undertaking that interferes or appears to interfere with the employee's duties, gives or appears to give the employee an advantage derived from employment at the Town, or might appear to influence or affect the carrying out of duties as a Town employee; or
- Use Town property, equipment, supplies or services for activities not associated with the discharge of official duties.

## **Conflict of Interest Disclosures**

An employee must make prompt and full disclosure in writing to the applicable Department Head and/or Chief Administrative Officer/Clerk of any actual or potential conflict of interest, including:

- A description of the conflict of interest;
- The nature of the direct or indirect personal interest; and
- Identity of any person(s) or corporations in which there is a personal interest.

Upon receiving disclosure of a conflict of interest, the Department Head and/or Chief Administrative Officer/Clerk shall take reasonable steps to ensure the employee is removed from the conflict of interest situation. An actual or potential conflict of interest can arise without any intentional wrongdoing or improper conduct on the part of the employee. Therefore, employees will not be disciplined or treated adversely for making prompt and full disclosure of the circumstances. However, all employees are expected to make every effort to avoid such circumstances. Employees are expected to use sound judgment and Conflict of Interest guidelines in a pro-active fashion in order to maintain the public's trust in the Town's objectivity and integrity. Failure to disclose conflicts of interest will be treated as a serious matter.

## PROFESSIONAL BEHAVIOUR

- 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. They are expected to conduct themselves with the highest degree of ethical behaviour and integrity.
- Town employees interact with community agencies, contractors, suppliers and the public on a daily basis. Employees must be professional, courteous and objective in all of these interactions.
- Employees, as representatives of the Corporation, are expected to reflect a professional image.
- As with external relations, employees must be professional and courteous with their co-workers. They should be aware of the effect that their workplace behaviour has on others. Employees are expected to be reasonable and fair in their expectations of each other and resolve any conflict in a mature and professional manner.

The following standards are intended as a guide to the conduct the Corporation expects of its employees and are not designed to inhibit its employees unnecessarily. The standards outlined are not intended to cover every possible situation and others may be added to include new situations. The following shall not be acceptable standards of conduct. Failure to abide by these may result in progressive corrective measures up to and including termination.

### 1. ALCOHOL/DRUG USE

The Corporation strives to provide a safe, alcohol and drug-free work environment for all persons. Accordingly, the Corporation strictly prohibits an employee being impaired or under the influence of legal or illegal drugs or alcohol which could adversely affect the employee's work performance, the safety of the employee or others, or puts the Corporation's reputation at risk.

### 2. DAMAGING PROPERTY

The neglect or carelessness of an employee that results in the loss, damage, breakage or destruction of Corporation property or the property of fellow employees or others.

### 3. DISCOURTEOUS BEHAVIOUR

The use of profane, discourteous, abusive or rude language, or action against another employee, supervisor or others.

### 4. DISCRIMINATION

Every employee of the Corporation has the right to receive fair treatment and to work in an environment that is free of discrimination and harassment.

The Corporation is committed to providing a workplace in which all persons are treated with dignity and respect. Harassment undermines an individual's self-respect and adversely affects work performance and well-being.

### 5. DRESS CODE/GROOMING

Business attire is required for administrative positions within departmental offices in conducting corporate business. Employees are requested to take pride in their attire and appearance, as this presents an appropriate image to fellow employees, business partners and the public, plus is a reflection of the Corporation and the respective position.

### 6. EMPLOYEE ABSENTEEISM

Employees are expected to be on duty and ready to commence work at the stipulated starting time. Likewise, employees are expected to remain on duty until the stipulated quitting time.

Repeated and unjustified late arrival for work and absence from work without prior notification to the appropriate supervisor is not acceptable behavior.

**7. FACILITIES AND EQUIPMENT**

The unauthorized use of Corporation property, resources or premises, and the unauthorized removal of property from the Corporation's premises, without the prior approval of the supervisor, are subject to discipline up to and including dismissal and may be subject to Criminal Charges. See Section G-Policies, Policy #11 (Information Technology (IT) Policy).

**8. FAILURE TO REPORT ACCIDENTS**

Failure to report accidents, breakage or damage to equipment and machinery (which occurs when assigned to drive or use equipment and machinery), giving false information, refusing to give testimony when accidents are being investigated, or receiving traffic violations with vehicles of the Corporation.

**9. FAILURE TO OBSERVE SAFETY RULES**

Failure to observe the established fire safety, health and safety procedures and engage in dangerous or potentially dangerous activities.

**10. FALSIFYING RECORDS**

Falsifying or altering of employment or time records, work schedules or payroll records. Falsifying an employment application, and/or providing false or misleading information, prior to or during your employment.

**11. GAMBLING**

Gambling or engaging in gambling activities on the Corporation's premises.

**12. INDECENT BEHAVIOUR**

Engaging in any immoral or indecent behaviour or soliciting persons for immoral purposes or the aiding and/or abetting of any of the above.

**13. INSUBORDINATION**

Willful disregard, disrespect toward a supervisor or representative of management, failure to obey or perform work as required or assigned.

**14. NOT REPORTING FOR WORK**

Employees who are unable to report to work at their scheduled starting time are required to notify their supervisor directly and to do so as soon as possible so that, if necessary, replacement staff can be scheduled.

Employees who are unable to report for work are required to contact their supervisor on a daily basis throughout their absence to confirm their continuing inability to report to work. When a continuing absence is due to illness, daily notification of the supervisor is required until medical confirmation is received regarding the estimated length of the absence.

**15. PERSONAL INJURY**

Failure to report any personal injury either to yourself, or witnessed by you, sustained while on duty.

**16. POLICIES AND PROCEDURES**

Violation of any approved policies and procedures of the Corporation's Departments.

**17. RELEASING CONFIDENTIAL INFORMATION**

Releasing confidential information to other employees or the public without authorization.

**18. THEFT**

Embezzling and/or pilfering of Corporation property, or the property of employees or others (the unauthorized removal, storage, transfer or utilization).

## **19. VIOLENCE IN THE WORKPLACE**

Fighting or attempting bodily injury to a fellow employee or others, threatening, intimidating, coercing or interfering with other employees on the premises at any time.

## **20. WEAPONS**

Possession of any dangerous weapon when on Corporation property.

## **POLITICAL ACTIVITY**

Employees are discouraged from direct involvement in the Town and County Election Campaigns. This includes the posting of candidate signs on their personal property, and the signing of nomination papers.

Employees may be involved in provincial and federal campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties as a representative of the Corporation. Town resources shall not be used on any election campaign.

An employee who intends to be a candidate in a Town of Hanover municipally run election, must take a leave of absence and, if elected, must resign their position with the Town of Hanover.

## **EMPLOYEE RESPONSIBILITIES**

- Employees of the Town of Hanover must follow the highest standards of ethical behaviour in the course of their work to ensure that public confidence and trust is maintained.
- The Code of Conduct applies to each employee of the Town. Each employee is responsible for understanding and complying with the Town's Code of Conduct, all related Corporate Policies and any applicable laws, regulations, government guidelines and internal controls. As such, each is required to address any situations of existing or potential non-compliance. Any suspected fraud, breach of trust and other wrongdoing must immediately be reported to the Department Head and/or Chief Administrative Officer/ Clerk. Every effort will be made to protect the confidentiality of such information.
- When in doubt about the interpretation or application of the Code of Conduct, clarification should be sought from a Manager/ Supervisor, Department Head, Director of Corporate Services and/or Chief Administrative Officer/Clerk.

## **MANAGEMENT RESPONSIBILITIES**

- As part of effective performance management, each Department Head and/or Chief Administrative Officer/Clerk must ensure that employees are aware of and in compliance with the Code of Conduct.
- The Corporation is accountable for protecting the assets of, and the public trust in the Town. Toward this end, Management must ensure the establishment and monitoring of adequate systems, procedures and controls to prevent and detect fraud, breach of trust and other forms of wrongdoing.
- Management will provide training and development that will enable our employees to understand and comply with the intent of this Code to the best of their ability.
- Prior to taking action on a suspected wrongdoing, Management should seek the advice of the Director of Corporate Services, who will subsequently notify the Town Solicitor where appropriate. This consultation will protect the Town's legal interests in potential subsequent corrective measures, protect the rights of those employees involved, and prevent further losses or damage to the Corporation.
- It is the responsibility of Management to ensure that each suspected wrongdoing is investigated. If a wrongdoing is confirmed, the Town will deal firmly and fairly with all its employees regardless of their position or length of service.

## **ENFORCEMENT**

The provisions of the Municipal Act, the Municipal Conflict of Interest Act, The Municipal Freedom of Information and Protection of Privacy Act, shall apply to instances of improper conduct by Employees of the Town of Hanover.

- The preceding guidelines and expectations, as well as the related policies, re-affirm the Town's commitment to integrity, objectivity and professionalism in delivering services to the public. Maintaining the taxpayer's confidence and trust in Town 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 fully aware of, and in compliance with the Code of Conduct and its related policies. Violation of these principles is a serious matter, and any employee in violation of these principles will be treated fairly, consistently and without regard to their position or length of service. In addition, any employee who has contravened these policies, including the obligation to report any knowledge of wrongdoing or fraudulent behaviour, shall be subject to such corrective measures (up to and including termination) as is deemed appropriate under the circumstances.
- Any employee under investigation for suspected fraud or other wrongdoing may be suspended with or without 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.
- Nothing in this Code of Conduct is intended to conflict with the Town's obligations to its employees under its collective agreements.
- Corporate policies are not intended to undermine the firm commitment to the well-being and professional treatment of employees throughout the Town.
- Public service is a public trust, and as an organization entrusted with public funds, it is critical that every employee regularly re-affirm their commitment to the highest standards of ethical behaviour.

## **SEVERABILITY**

The provisions of this Code are severable and 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.