

<i>The Town of Fort Frances</i>	<b>SECTION</b>  HUMAN RESOURCES
<b><u>EMPLOYEE CONDUCT</u></b>  <b><u>POLICY</u></b>	<b>REVISED</b>  September 2003
Resolution No.	Supercedes Resolution No.
Policy Number 3.7	<b>PAGE 1 of 4</b>

## 1. POLICY STATEMENT

Local Government is an open, accessible, and accountable form of government. The relationship of public trust and mutual respect that has evolved between government and the public requires high standards of ethical conduct by municipal employees.

## 2. PURPOSE

- A. Protect the public interest.
- B. Encourage high ethical standards among municipal employees.
- C. Provide a universal understanding of the fundamental rights, privileges, and obligations of municipal employees.
- D. Provide a means for municipal employees to obtain authorization for some contemplated conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct.
- E. Set out the means of correcting unethical conduct.
- F. Set out means of disciplinary action.
- G. Municipal employees hold positions of privilege therefore; they must discharge their duties in a manner that recognizes a fundamental commitment to the well-being of the community and regard for the integrity of the Corporation.

Where there is any conflict between the policies and procedures adopted by the Town of Fort Frances and the policies and procedures set forth in a Collective Agreement adopted by the Town of Fort Frances, or policies and procedures set forth in a statute of the Provincial or Federal Government, the Collective Agreement or the Provincial or Federal statute shall supersede such other policies or procedures.

## 3. CONFLICT OF INTEREST

- Every municipal employee shall avoid situations in which the employee has a personal interest sufficient to influence or appear to influence the objective exercise of that employee's authority. When an employee is, or believes he/she may be, in a position of conflict of interest with regard to the Town, the employee should disclose this to their Supervisor / Division Manager, or in his/her absence, to the Human Resources Manager or Chief Administrative Officer, and refrain from exercising his/her authorities relevant to the conflict until duly authorized.

- A municipal employee must refrain from accepting gifts and benefits from firms or individuals that is greater than \$50 in value.
- Municipal employees must not place themselves in a position where they are under an obligation to favour an individual or firm.
- There is a role for “moderate hospitality”. Employees should consult with their supervisor to determine whether or not a specific gesture constitutes moderate hospitality.
- Employees shall reveal and not participate in any decision or promotion or make any recommendation to their Supervisor, Committee or Council in which they or their family has a direct financial interest, except as a resident of the municipality.

#### **4. USE OF MUNICIPAL PROPERTY**

- An employee must not use the municipality’s property, equipment, supplies or services for activities not associated with the discharge of official duties unless the respective Supervisor / Division Manager has granted proper authorization.
- Employees shall not use property, equipment, and supplies or services owned or leased by the Town for personal gain.

#### **5. OUTSIDE ACTIVITIES OR EMPLOYMENT**

An employee will use his / her position with the Corporation solely for the gain and service of the Corporation and not to secure advantage, benefit, favour, or services directly, or indirectly for self, spouse or children.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- Where outside employment or activities reduce to an unacceptable level the interest or energy an employee devotes to his or her duties.
- Where outside employment is performed in direct competition with services provided by the Town.
- Where an employee uses his or her position to solicit business for personal gain during regular working hours for the Town.

Employees are expected to report to work in a fit condition to carryout their work duties. Employees reporting for work in an unfit condition will be sent home without pay. The Corporation considers as being unfit if an employee is under the influence of alcohol or other substance which may cause them to be otherwise unfit. This may include legal medications which impair ones effectiveness and/or judgement and those other substances which are illegal. Consumption of alcohol or illegal substances during working hours and on Corporate property is strictly forbidden.

Employees having left the employment of the Corporation shall not use or cause to be used any privileged or sensitive information gained or otherwise obtained by their employment for personal gain or advantage to gain other employment. The Corporation will take whatever is deemed appropriate action in such instances.

## **6. FINANCIAL TRANSACTIONS**

Every municipal employee must adhere to Town by-laws and policies regarding any municipal financial transaction. Employees shall reveal and not participate in any decision or promotion or make any recommendation to their Supervisor, Committee or Council in which they or their family has direct financial interest, except as a resident of the Municipality.

Disposal of municipal property, assets or services shall be in compliance with Town policies. At no time shall this benefit any individual employee or group of employees.

## **7. CONFIDENTIALITY**

Every municipal employee must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the Town.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- To use confidential information, which is not available to the general public and to which, the employee has access by reason of his/her personal interests or the interests of others.
- To disclose to unauthorized persons confidential information to which the employee has access by reason of his/her employment with the Town.

## **8. POLITICAL ACTIVITY**

Municipal employees are to be allowed as great a measure of political rights as can be reconciled with the need to ensure the fact and appearance of impartiality in the performance of their duties with the Town. The point at which an appropriate balance can be struck in any particular case depends primarily on the nature and level of the employee's responsibilities.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- Use the authority or influence of his/her position with the Town on behalf of a political party or candidate.
- To engage during working hours in any activity for or against a political candidate.

## **9. PUBLIC COMMENT**

Queries from the public and the media are to be referred to management personnel. Relations with the media shall be conducted as such that only factual and objective information related to policies adopted by Council shall be transmitted. Employees must refrain from putting forth speculative or subjective insights.

Employees should not assume that any unethical activities not covered by or specifically prohibited by the Code are permissible.

## **10. VIOLATION OF CODE OF ETHICS - PROCEDURES**

Municipal employees are encouraged to seek clarification from their Supervisor / Division Manager, the Human Resources Manager or Administrator if they are uncertain as to the appropriateness of their existing or contemplated conduct.

Complaints or inquiries concerning the ethical conduct of any municipal employee shall be made in writing to the Division Manager or Human Resources Manager. All complaints or inquiries will be treated as confidential.

Employees will be expected to resolve any determined non-compliance with the Code to the satisfaction of the Corporation. Employees may promote any unresolved dispute arising out of this Code through their Supervisor; failing that, the Chief Administrative Officer; and failing that, the Executive Committee and / or Mayor and Council.

Where it has been determined that the conduct referred to the Executive Committee and / or Mayor and Council does breach the Code of Ethics, the complainant and the employee shall be so advised in writing. Council may also instruct the employee to divest himself/herself of the outside interest or transfer it to a trust or take disciplinary action.

## **11. DISCIPLINARY PROCEDURE**

The Town of Fort Frances strives to create a long-term relationship with its employees. Our primary goal is to provide a positive environment through training, development and strong management that will allow both the employee and the Town to achieve excellence. For those employees that do not meet this expectation, a fair and constructive discipline procedure has been developed that encourages improved performance in the workplace.

The authority to discipline is entrusted to immediate Supervisors, Division Managers, and / or the Chief Administrative Officer. Discipline is intended to be constructive in correcting an employee's unacceptable conduct or habits.

The Supervisor will promptly identify that a deficiency exists in performance or conduct. The supervisor will investigate and obtain all pertinent facts concerning the deficiency before disciplinary action is taken. The individual will be informed of the problem and given a chance to discuss it with his or her supervisor. Depending on the severity of the problem and its history, one of several actions might be taken;

- Verbal reprimand
- Written reprimand
- Suspension (with or without pay)
- Dismissal

Acute offences are those that are clearly identifiable and call for immediate reaction. An example of an acute offence is a misappropriation of funds. For these, the penalty may be applied without delay, up to and including dismissal. Chronic offences involve a continuing pattern of less serious infractions, such as persistent lateness or substandard work. These offences may be more appropriately handled by working through the various levels of discipline.