

2. The Township of Hornepayne Policies

This section of the Human Resources Policy Manual will outline several policies which help guide and direct employee performance, behaviour and ethics.

2.1 Employee Code of Conduct Policy

Policy Statement

The Township of Hornepayne (“Township”) strives to maintain the highest level of public confidence in all aspects of the organization. The Township is also proud of its heritage and the services it provides to members of the Hornepayne Community. Underlying all that the Township does and strives to do are its Core Values of Integrity, Accountability, Transparency, Hardworking, Respectful and Inclusivity. It is only through the commitment and effort of our employees that the excellent quality of services and achievement of our Core Values will be maintained at this level of government.

As the Township’s most valuable and significant resource, our employees are expected to demonstrate the highest standard of ethical behaviour, being beyond reproach, trustworthy and able to withstand public scrutiny. This means we shall adhere to the highest standard of personal and professional competence, integrity, and impartiality and shall perform our duties in a manner that recognizes a fundamental commitment to the well-being of the community. This document could also be referred to as the “Code of Conduct for Municipal Employees and Staff”.

Policy

In recognition of the Core Values and the importance of continuity of minimum standards in demonstrating our values, this Employee Code of Conduct (“Code”) has been developed. The code clarifies the expectation of its employees and re-affirms our commitment to our community, to service excellence and to maintaining fiscal responsibility on behalf of the public. It establishes clear and reasonable standards of conduct expected of all employees and provides guidance in the determination of appropriate conduct in the workplace.

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

Nothing in this Code is intended to conflict with the obligations under our Collective Agreement. It also does not alter other rules of conduct some employees may have as part of their professional affiliation (i.e., accountants, building officials, engineers, human resource professionals, planners, etc.) It is intended to augment and apply concurrently with those professional affiliations. In addition, the Township may issue corporate policies and procedures that will provide further guidance for compliance with this Code.

Responsibilities and Obligation

Compliance with the Code is a condition of employment. It has been designed to promote compliance with numerous laws and regulations that apply to employees working in a municipality. With this goal in mind, we have outlined the following general expectations.

Everyone shall strive to:

- a) Uphold the laws of all levels of government, and avoid situations where they may become a party to a breach, evasion or subversion of the law;
- b) Conduct themselves in a manner that promotes the Township's reputation and ensures continued confidence in the Township's system of government;
- c) Treat all persons honestly and fairly, and with proper regard for their rights, entitlements, duties and obligations, and at all times act responsibly in the performance of their duties;
- d) Be professional and courteous with their fellow employees, Council and the public and resolve any work-related disagreements in a mature manner, based on reasonable expectations;
- e) Advance the common good of the community;
- f) Carry out their duties in a fair, impartial, and transparent manner;
- g) Promote the health and safety of others including not smoking, ingesting or vapourizing illegal or prohibited substances;
- h) Avoid using their positions improperly for personal advantage;
- i) Avoid using inside information, internal protocols or procedures for personal gain;
- j) Resolve any conflict between personal interests and public duty in favour of the public interest; and,
- k) Ensure employees take all steps to ensure that Personal Information and Confidential Information obtained in the course of employment or office is safeguarded and protected in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), or as required by other by-laws and legislation.

It is Senior Management's responsibility to administer and re-enforce the Code and to demonstrate, by example, the obligations under this Code. It is also the duty of Senior Management to investigate suspected violations and apply appropriate response. Senior Management shall treat employees in a fair and equitable manner.

Examples of Appropriate Conduct and Behaviour

Adherence to Township policies, practices and procedures; appropriate and proper attire worn; competent performance of all assigned job duties; prompt and regular attendance at work; having integrity, being ethical, helpful, courteous and respectful towards other employees, Council, community members or any other person who deals with the Township for business purposes.

Examples of Misconduct and Inappropriate Behaviour *(list is not exhaustive)*

Excessive noise; inappropriate office decor; potentially offensive pictures, jokes and comments; gossiping, shunning, profanity, lack of respect for personal boundaries or belongings; engaging in business that is not compatible with the employee's duties; providing preferential treatment to relatives, friends or organizations; influencing decisions to directly benefit any business; engaging in outside work or activity that interferes with the employee's duties; use of property, equipment, supplies or services for activities not related to duties; smoking; inaccurate or incorrect timesheets or time logs; excessive absenteeism or tardiness without permission; disclosing confidential information, insubordination, inappropriate remarks regarding other employees or using obscene, abusive language; spreading malicious gossip or rumors; harassing, threatening, intimidating, behaviour, horseplay or throwing objects, reporting to work or working while under the influence of alcohol, drugs, or prohibited substances, gambling, lotteries, or any other game of chance while on Township premises or job sites; inappropriate use of cell phones, including texting, email, internet, social media, websites, telephones or computer while on Township time.

Examples of Gross Misconduct *(list is not exhaustive)*

Theft; fraud; deliberate falsification of records; corruption or bribery; fighting, serious abuse towards or assault on another person; deliberate damage to Township property; possession of guns, weapons or explosives on Township property; illegal drugs; serious incapability through alcohol or being under the influence of drugs; serious negligence or dereliction of duty which risks or causes unacceptable loss; damage or injury; any act of insubordination; unlawful discrimination or harassment of a fellow co-worker, visitors or member of the public when on duty; sleeping while on the job; willful neglect and/or mishandling of equipment and machinery; misuse of information technology, computers and other electronic devices provided for or used for work purposes; serious contravention of Statutory regulations, including those relating to health and safety, that would render the Township or any of its employees liable to legal action or tarnish the reputation of the of the Township; serious breach of confidentiality; offences or actions within or outside of the Township which could prevent the employee from continuing to do the job for which they were employed; having a damaging effect on the reputation and integrity of the Township or its partners/clients; participating in a willful breach of privacy, security, trust and confidence of the Township.

Behaviour and Professionalism

Township employees interact with clients in receipt of municipal services or programs, community agencies, contractors, suppliers, and the general public on a daily basis. It is through our professionalism, courtesy and objectivity in these interactions that we can all ensure we achieve respect for one another.

Our employees are viewed as ambassadors of the Township and are expected to reflect a professional image at all times, whether on or off duty. We do this by being conscious of the Township's public duty and by conducting ourselves with the highest degree of moral and ethical behaviour and integrity.

Employees shall also be professional and courteous with one another. Improper behaviour in the workplace has a negative effect on others and the public. Examples of improper behaviours include: excessive noise, inappropriate office decorations, potentially offensive pictures and jokes, profanity, demonstrating little or no respect for personal belongings, and engaging in conduct or behaving in such a way as to negatively impact the Township's reputation, whether in person or by any other means, such as social media.

Workplace Safety

Workplace Safety is a shared responsibility of all Township employees. Managers are responsible for ensuring that employees are aware of any potential work hazards, are trained in safe work practices and comply with safety and health laws, rules and regulations of Ontario. All employees are to take every reasonable and necessary precaution to ensure their personal safety and health as well as that of their colleagues.

Use of Township Property

Township property should only be used by an employee to perform work-related duties and responsibilities or for community activities which are supported by Council.

Township Assets/Property is to remain on Township property at all times unless it is necessary to take the items off site in order to perform the employee's job. Where Township Assets/Property is in the care of an employee, the items shall be protected and kept secure at all times.

The Township's electronic networks are corporate assets and employees shall be aware that communications over the Township's electronic network are not to be considered private communications.

An employee shall not, under any circumstances, misuse funds, property or other Township Assets/Property or knowingly assist another person to do so. The intellectual property rights in any work produced by an employee in the course of employment at the Township are the exclusive property of the Township. In addition, software piracy, defined as using an unlicensed copy of a software package that has not been purchased for municipal purposes, is prohibited. This includes taking a copy of a licensed software package for personal use or passing a copy to another person for their use.

Upon departure from employment all Township drawings, correspondence, documents and all other Township Assets/Property which are in the individual's possession or control will be returned to the Township, unless otherwise purchased from the Township. With written consent from their direct Manager, employees may retain samples of their work.

Insider Information

Employees may sometimes be privy to Insider Confidential Information and Personal Information concerning the affairs of the Township, other employees, elected officials or members of the community. Employees are not to discuss, or pass on, insider information unless the exchange is necessary for a specific business purpose of the Township. Adherence to this practice will reduce the chances of inadvertent release of information.

Confidential Informational/Personal Information

Many employees will have access to Confidential Information and Personal Information by reasons of their duties and responsibilities with the Township. Employees shall respect such information and shall ensure it is safeguarded from unauthorized disclosure or access. Such information shall be protected from any unauthorized disclosure in accordance with this Code and in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act. Confidential Information and Personal Information may only be used or transmitted in order to permit the employee to perform the duties and responsibilities associated with their position and where disclosure is necessary and proper in the discharge of the Township's function.

Where an employee is unsure whether the information is confidential or personal, and before making any release, the employee is to contact the Manager who will then determine whether such information is confidential and/or refer the matter to the CAO/Clerk or their designate.

Media Relations

The media plays an important role in providing the public with news and information about the Township and in reporting on the public's views and opinions of the Township. Media inquiries should be referred to the CAO/Clerk who will refer to the Mayor who is the Township's official spokesperson and will respond on behalf of the Township.

Political Involvement and Activity

Running for Public Office

Employees may exercise their civic right to run for public office in accordance with legislative requirements. Where an employee wishes to run for public office, they shall first seek a leave of absence for the period between the day the employee is nominated and end of voting day. If the employee is elected, they will resign from the Township as an employee unless otherwise accounted for in the Collective Agreement.

Involvement in Political Campaign

Employees are entitled to exercise their right to support or be involved in the political campaign of a municipal, provincial or federal candidate or party providing they do so on personal time and do not hold themselves out as representatives of the Township. However, employees shall be, and shall appear to be, politically neutral in their official duties in order to sustain public trust in Local Government. Employees are permitted to participate in electioneering, canvassing or may actively work in support of a political candidate or party provided they do so outside of normal working hours, or during an authorized leave of absence without pay for this purpose by using lieu time, adjusted work week or vacation time. Such activity shall be as a citizen and not as, or appear to be as, a representative of the Township. Examples of campaigning include telephone and e-mail solicitations, distribution of brochures, the display of campaign signs and the wearing of candidate buttons. To maintain a positive public opinion of the Township, employees are expected to avoid expressing their personal views on matters of political controversy or on Township policy or administration if the comment is likely to impair public confidence in the Township. If there is any doubt about whether a statement is appropriate, employees should contact their Manager for further discussion and clarification.

Memberships on Boards or Committees

The Township encourages employees to take part in community activities. However, it is important to bear in mind that such service may, at times, place individuals in a real or perceived conflict of interest situation. As a member of a community board or external committee, the employee shall continually assess their involvement and expected decision-making responsibilities in light of their employment with the Township. It may be necessary to resign from a board or committee if that body has a direct role with the Township. To ensure the existence and appearance of objectivity, employees should not participate in decisions or votes that would create, or be seen to create, a conflict of interest.

Political Contributions

Employees shall not use Township funds, good, services, or Township Assets/Property to make political contributions.

Work of a Personal Nature

Employees in positions of authority shall not require other employees to perform work of a personal nature.

Personal Conduct

Employees are expected to maintain a standard of integrity above challenge in all business relationships both inside and outside the Township. All business relationships, including those with suppliers, contractors and consultants, shall be kept at arm's length so as not to create an impression of impropriety.

Product Recommendation

Employees shall not recommend specific brand name products, services or suppliers in their capacity as employees of the Township or in circumstances where it might be inferred that the Township had endorsed such products, services or suppliers.

Conflict of Interest

Even the slightest impression of impropriety or conflict of interest can have a devastating effect. Employees are encouraged to familiarize themselves with the types of situations that could give rise to a perception of a conflict of interest and to handle themselves accordingly. The avoidance of actual and perceived conflicts of interest is essential to ensuring we fulfill our obligations to the public and each other. Employees shall report any real, potential or perceived conflict of interest situation to their Manager.

Conflicts of Interest shall be reported, in writing, by completing the "Conflict of Interest Reporting Form" and referring the matter as necessary. A conflict of interest may exist where an employee or their family member has a Pecuniary Interest or Non-Pecuniary Interest in a contract or proposed contract with the Township, interest in a property matter, and where the employee may, or may be seen to, influence the decision made by the Township with respect to the contract.

Similarly, a conflict may exist where the employee could influence the decision made in the course of performing their job duties, and also where they could influence the decision through exerting personal influence over the decision maker, which results or appears to result in:

- a) an interference with the impartial exercise of an employee's duties and responsibilities for the Township; or,
- b) A gain or advantage by virtue of an employee's position with the Township

In general, employees should consider all of the following factors in making business decisions;

- Is this legal?
- Is this fair, ethical and moral?
- Would the Township's reputation be negatively impacted if this situation became public knowledge?
- Would members of the community, fellow employees or third parties perceive this situation as a conflict of interest?

If a potential conflict exists, the individual shall advise their Manager or their designate of the situation and complete the "Conflict of Interest Reporting Form" found at the end of this document in Appendix I.

Gifts and Benefits

The Township recognizes that moderate hospitality is an accepted courtesy of a business relationship. Accordingly, staff shall only accept gifts or hospitality of a nominal value that could not be reasonably construed as being given in anticipation or recognition of special consideration by the Corporation thereby compromising the integrity of the Township and:

- a) Are appropriate, a common expression of courtesy, within normal standards of hospitality; and,
- b) The Manager or their designate is notified of the receipt of any and all gifts or benefits.

Hospitality Extended

The occasional hospitality for business contacts may occur. Such activities shall be limited to Managers and shall be moderate and reasonable, both in cost and nature. The image and integrity of the Township needs to be, first and foremost, always protected.

Other Employment

Employees work towards, and are dedicated to ensuring, the Township's success in meeting its goals in the community. To ensure continued commitment to service levels, employees are expected to avoid other employment, business activity or other undertakings:

- While on duty;
- That interferes with the performance of his/her duties for the Township;
- That creates a conflict of interest;
- That is in conflict with a by-law, policy, plan or objective of the Township or that is in any way contrary to the interests of the Township; or
- from which the individual derives some form of benefit by the virtue solely of his/her employment with the Township.

Other employment means working for another Township, being self-employed, or working for charitable or volunteer organizations which results in receiving, or being eligible to receive, profit, payment of compensation or other benefit from that Township or charity.

If the Individual is unsure as to whether or not carrying out of any other employment, business activity or other undertaking would create an interference, conflict or improper benefit, the individual shall seek guidance from their Manager, the CAO/Clerk or their designates.

Enforcement of The Code of Conduct

It is the responsibility of Managers and the CAO/Clerk, or their designate, to ensure that employees receive adequate and appropriate information about this Code.

Employees, Managers and the CAO/Clerk shall, to the best of their ability ensure that the Code is followed.

The appropriate response for non-compliance with the Code shall, in the normal course, be determined by the CAO/Clerk and Managers or, in a situation where the alleged violation has been committed by the Manager, by the CAO/Clerk or their designate.

Any employee, who has contravened these requirements, will be subject to appropriate progressive disciplinary action up to and including dismissal.

Freedom from Reprisal

All employees will be guaranteed freedom from reprisal, harassment or other discriminatory practice as a result of exercising their obligation to report a breach or suspected breach under part of this Code. Retaliation against someone who is a witness or is involved in such investigations is prohibited.

When a violation or suspected violation of this code is reported and an investigation is initiated:

- 1) The identity of the complainant or reporting individual will be kept confidential, except as permitted or as may be required by law;
- 2) Retaliation will not be tolerated where reporting of a potential violation of the Code is made in good faith;
- 3) If retaliatory action occurs, the employee should report the action to their Manager;
- 4) Individuals violating the Code will receive the appropriate discipline in accordance with the Progressive Discipline Policy.

How to Report Violations of The Code and/or Reprisal

Where a violation or suspected violation of this code occurs, a complaint may be made, orally or in writing, to the Manager or CAO/Clerk or their designates or, in the case of the CAO/Clerk, to Council. If the complaint is made about a member of Council, the Integrity Commissioner will be contacted.

When such concerns are brought forward, the issue(s) will be treated in confidence and will be investigated within (5) business days from the date the concern has been raised. It shall be clearly understood that anonymous, unfounded and/or malicious allegations will not be tolerated and if the initiator of such allegations is identified, appropriate disciplinary action will be taken.

Council Code of Conduct

The Council Code of Conduct outlines the ethical standards for the behaviour of Council Members (and Local Board members). The Council Code of Conduct guides Council to work diligently at creating a positive working relationship between Council and staff founded upon an environment of mutual respect, trust and acceptance of different roles.

The Council Code of Conduct contains specific guidance to Council with respect to Transparency and Accountability, Ethical Standards, Use of Information, Relations with employees and other members of Council, and the Role of Council as it relates to the Code.
