

THE CORPORATION OF THE TOWNSHIP OF RAMARA

BYLAW NUMBER 2012.23

BEING A BYLAW TO REPEAL AND REPLACE BYLAW 2008.07 TO  
ESTABLISH A CODE OF CONDUCT FOR THE  
EMPLOYEES OF THE CORPORATION OF THE TOWNSHIP OF RAMARA

WHEREAS Section 270(1) of the Municipal Act, 2001, provides that a municipality shall adopt and maintain policies with respect to the hiring of its employees.

AND WHEREAS the Council of the Township of Ramara established a Code of Conduct for its employees by Bylaw 2008.07.


AND WHEREAS the Council of the Township of Ramara desires to repeal and replace a code of conduct as a guide for its employees in the conduct of their duties.

NOW THEREFORE, the Council of the Township of Ramara hereby enacts as follows:

1. THAT the Code of Conduct, A Guide to Staff attached hereto as Schedule "A" be adopted.
2. THAT Schedule "A" attached hereto may be amended from time to time by a Resolution of Council
3. THAT Bylaw 2008.07 is hereby repealed;
3. THAT this Bylaw shall come into force and take effect on the date of passing.

BYLAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED  
THIS 19<sup>TH</sup> DAY OF MARCH 2012.

  
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WILLIAM DUFFY, MAYOR

  
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JANICE E. MCKINNON, CLERK

## **CODE OF CONDUCT**

### **A GUIDE TO STAFF**

#### **Overview**

This Code of Conduct serves as a guide to staff in the conduct of their duties. In representing the Township you must maintain a high standard of personal and professional conduct and preserve the trust and confidence placed in you by the corporation and the community. Staff must ensure that they adhere to this Code by conducting oneself with integrity, competency and impartiality.

This Code represents general standards and does not replace the law.

#### **General Standards of Conduct**

1. Staff are responsible for making honest statements and shall not make a statement that is false or make a statement with the intent to mislead the public, a member of Council or another person on staff.
2. Staff shall abide by all applicable law, bylaws, policies and procedures pertaining to their position.
3. Staff shall be respectful of the public, Members of Council, Boards and Committees and fellow workers and treat all in a courteous manner without abuse, bullying or intimidation.
4. Staff shall not display any materials or transmit communications that are inappropriate, offensive, insulting or derogatory.
5. Staff shall not vandalize any corporate or personal property of others within the workplace.

#### **Customer Relations**

6. All communications shall be handled in a courteous and respectful manner with an objective and impartial attitude. Citizens have a right to present their views and you have a right to explain Council policy. If there is an impasse have them write to Council with their concern.
7. Staff shall not swear or use abusive language when dealing with the public. Likewise, if the public in their communication continue to swear or use abusive language after being advised to discontinue such use, staff may politely end the conversation.

8. Only the Chief Administrative Officer (CAO) and Managers of Service Areas shall comment to the media on policy matters and litigation matters. Staff may provide background papers and other information which is normally available to the public.

### **Conflict of Interest**

9. A staff member will be considered to have a conflict of interest where their private objectives conflict with civic objectives. As such, staff shall not:
  - a) engage in any business transaction, financial interest or personal interest which are inconsistent with the impartial discharge of their civic duties;
  - b) place themselves in a position where he or she is under obligation to any person who might benefit from the circumstance;
  - c) deal with any application, agreement or contract with the Township for any loan, grant, award or land matter in which the employee, their spouse or a member of their family have a pecuniary interest;
  - d) gain personal benefit, directly or indirectly, from any knowledge about civic related matters;
  - e) disclose or release, by any means, confidential information which the employee has acquired by virtue of their position; and,
  - f) sell goods, materials or services to the Township except when the same opportunity is made to other persons or companies on an equal basis and with the goods, materials or services provided outside of regular hours of employment and the CAO being advised.
10. When a conflict of interest exists, the staff member must withdraw from direct involvement and refrain from any comment on the issue that might influence the decision. The CAO is to be informed in writing of the conflict.

### **Political Involvement**

11. Municipal resources shall not be used on any election campaign and staff shall not be involved in any election campaign for a Township Council position and good judgment would exclude the posting of an election sign or signs on their property.
12. Any member of staff who intends to be a candidate in a municipal election should consult the Municipal Election Act and Municipal Act concerning leave of absence and resignation.

### **Litigation Matters**

13. No municipal staff member, with the exception of the Chief Administrative Officer, is to communicate in any way with any party who has initiated or suggested that legal

action may be initiated against the municipality. All inquiries are to be referred to the CAO or municipal solicitor who is representing the Township on the particular matter.

### **Reputation Management**

14. Municipal staff shall not initiate or participate in any action of falsehood, slander or defamation of character nor the spreading of any rumour about an elected official, an appointed official and any member of staff of the municipality.

### **Confidential Information**

15. No municipal staff member shall disclose, release or publish or in any way divulge any confidential information, including personal information nor shall any municipal staff member use any such information for personal or private gain.
16. Staff shall not disclose any information protected by the Municipal Freedom of Information and Protection of Privacy Act. If you are in doubt, seek the guidance of the municipal Clerk.

### **Gifts & Benefits**

17. In order to preserve the image and integrity of the Township, gifts should be discouraged, but the Township recognizes that moderate hospitality is an accepted courtesy of a business relationship. Staff shall use common sense when dealing with situations where a gift is offered in appreciation of a service provided. Accept only after the service has been provided so as not to leave the impression with anyone that gifts are required for staff to perform their duties. Only accept a gift that is of minimal value and under no circumstances accept cash. Where an employee suspects a gift may have a value in excess of \$50.00, the employee must consult with the CAO.

### **Discrimination**

18. No member of staff shall discriminate against another member of staff or a member of the public because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.

### **Harassment**

19. No member of staff shall harass another member of staff because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or handicap.
20. No member of staff shall sexually harass, sexually solicit or threaten reprisal for the rejection of a sexual solicitation of another member of staff.

### **Performance Reviews**

21. In an annual performance review staff members are required to participate to the best of their ability to lessen job ambiguity, remove stress in the workplace, identify problems and strive to make the job better.
22. If a disagreement arises with regard to the review between a member of staff and her/his supervisor that cannot be resolved by the Manager of service area, the matter may be referred to the Chief Administrative Officer. The CAO in his discretion shall decide the matter. Before making a decision, the CAO may involve the Chief Executive Officer (the Mayor).

### **Financial and Procurement**

23. Staff shall strive to provide the levels of service as established by Council within the amount of the approved annual estimates.
24. Managers of Service Areas shall monitor those aspects of the budget for which they are responsible and report to the Treasurer where they suspect line items may exceed the estimate.
25. Managers of Service Areas shall report to Council anytime they expect that any capital expenditure may exceed the budget estimate (CW.44.03).
26. Staff shall not authorize any work which exceeds established levels of service or defined projects and equipment as outlined in the annual expenditures without the approval of Council except in an emergency (for emergencies see the Procurement Bylaw).
27. Staff shall purchase all goods and services in accordance with the Procurement Bylaw.
28. Staff shall not accumulate rewards or reward points on their own personal loyalty card for any purchase made for or on behalf of the Township.
29. Staff shall not change service levels or staff compliment without the approval of Council.

### **Smoking**

30. Staff shall not smoke in any civic building, vehicle or equipment and smoke only in designated places away from other workers.
31. Where no area is designated as a smoking area, the Manager of the Service will do so.

### **Health & Safety**

32. The Corporation undertakes to provide a safe working environment. Staff shall follow all health and safety directives and use all protective equipment in accordance with the Corporation and Joint Health & Safety Committee Policy and Procedure Manual.
33. Staff members shall attend safety and tailgate meetings as required by their Manager.

### **Alcohol, Illegal Substances & Impairment**

34. Staff shall not consume or use alcohol or illegal drugs on civic property, job sites or in civic vehicles or equipment.
35. Staff shall not be impaired while performing any duties or carrying out any responsibilities for the Township.

### **Respect in the Workplace**

36. All employees must refrain from any violent or threatening act toward another employee, member of public or member of Council in the workplace. This policy is provided in detail in Policy 17, Respect in the Workplace, of the Health & Safety Policy manual.
37. Any employee who is of the opinion he she has been bullied or threatened or is being harassed by another employee has an obligation to report the incident to his/her Manager or CAO and the matter shall be investigated.

### **Use of Computers**

38. Computer and links to the internet are for the sole benefit of the municipality. Employees must not introduce any unlicensed software, use these devices for personal use, store personal data, download information for personal use and directly cause any virus to be introduced. Employees must delete any inappropriate emails.
39. The Manager of Corporate Services is responsible for all computers, links and software. Software may be introduced with the approval of this Manager.

### **Use of Corporate Cell Phones**

40. Cell phones and two-way radios are provided to certain employees for corporate use. Any personal usage must be for emergencies only.

### **Enforcement & Appeal**

41. The CAO and Managers will ensure that all staff are aware of this Code of Conduct and ensure it is followed to the best of their ability.

42. Any member of staff who has direct knowledge of a breach of this Code shall advise the CAO in confidence.
43. Where it is determined that a member of staff has committed a breach of this Code, disciplinary action shall be taken.
44. The CAO in his discretion shall decide the question and apply the discipline.
45. An employee may appeal the CAO's decision to Council.
46. In any conflict involving the CAO, the Council shall decide the question and apply the discipline.

### **Progressive Discipline Policy**

47. The severity of the breach of this Code will determine the discipline to be taken by the Chief Administrative Officer. Minor breaches may result in a verbal or written warning. Major and second breaches will result in suspensions of 3 to 5 days without pay. A second major breach or third breach may result in longer suspensions or termination by the Corporation. For zero tolerance breaches, refer to Sections 47 and 48.

### **Zero Tolerance**

48. The Township has a zero tolerance for certain breaches of this Code. Zero tolerance means that if an employee is found in violation of this Code after any appeal is decided, termination will result.
49. Breaches of this Code subject to zero tolerance are:
  - acceptance of a bribe;
  - breach of trust;
  - theft of money or property;
  - visiting any adult entertainment or pornographic internet site;
  - fighting; and
  - bringing any prohibited weapon into the workplace

### **Interpretation**

50. Staff may seek clarification of the Code from the respective Manager or the CAO.