

Village of Debden

Policy Title Municipal Employee Code of Conduct		Adopted By Council	Policy Number 2/2016	
Jurisdiction Village of Debden	Attachments:		Effective Date: January 13, 2016	Page
Reviewed By Council			Amended: May 11, 2023	1 of 10

PRINCIPLES:

Our employees must observe the highest standards of professional conduct in the performance of their duties, regardless of personal consideration. Employees must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Employees must not engage in any conduct or activity that contravenes our by-laws or any law in force in Saskatchewan which might:

- Detrimentially affect the municipality's reputation;
- Make the employee unable to properly perform his or her employment responsibilities;
- Cause other employees to refuse or be reluctant to work with the employee; or
- Otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

PURPOSE:

A written Code of Conduct is intended to:

- Provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- Ensure that employees, members of Council and members of the public share and understand a common basis of acceptable conduct for Municipal employees;
- Protect the public interest;
- Promote high ethical standards among municipal employees; and
- Set out the corrective measures for unethical conduct.

COUNCIL RESPONSIBILITIES:

The Council will:

- a) Review the municipality's Code of Conduct as required and make any amendments considered appropriate
- b) Review, consider or take other action concerning any violations of the Code of which are referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the provincial or federal government, provincial or federal government statutes shall take precedence.

GENERAL PROVISIONS & GUIDELINES:

1. The Municipal Employee Code of Conduct governs the actions of all employees (full-time, part-time, seasonal and casual) of the Village of Debden while in the workplace and performing the duties of their jobs or acting on behalf of the Municipality.
2. Actions taken by employees outside their employment are not governed by this Municipal Code of Conduct unless the employee is speaking against decisions and/or policies of Council. No municipal employee or appointed official represents the municipality outside of work hours and should refrain from conducting municipal business while not on the job.
3. Employees are responsible for making honest statements and upholding the integrity of Council and its decisions. No employee shall make a statement with the intent to mislead anyone including Council members, fellow staff members, the media or the public. Employees shall always refrain from making public statements on Municipal policy and/or Council decisions.
4. It must be recognized that employees are only human and will occasionally make honest mistakes.
5. Employees shall conduct themselves with integrity and ethics.

Employees are agents of the public whose primary objective is to address the needs of the citizens in a manner that is respectful and courteous. They are entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable provincial and federal laws. Employees shall not discriminate against or harass others, including fellow employees, the public, contractors, or members of Council. Employees shall uphold the law and at all times.

Employees are required to perform the functions of their employment truly, faithfully and to the best of their knowledge and ability in accordance with the following core values:

 1. Integrity- giving the village's interests absolute priority over private interests;
 2. Honesty- being truthful and open;
 3. Objectivity- making decisions based on a careful and fair analysis of the facts;
 4. Accountability- being accountable to each other and the public for decisions taken;
 5. Leadership- confronting challenges and providing direction on the issues of the day.

When taking any actions while in the course of employment, each employee shall ask:

- Am I putting my own interests before those of the Municipality?
 - Would I make the same decision if my manager, a member of the public, my mother or the media were watching me?
 - Will I owe someone a favour if I do this?
 - Would I be offered this if I weren't an employee of the Municipality?
6. Transparency- As public servants, employees are accountable for what they do and that accountability is ensured by transparency. Employees must be open and honest in dealing with supervisors, the public and Council. Employees shall not just do their jobs well, but shall also be open and honest about what they say and do at all times and to all persons.
 7. Impartiality - As public servants, employees have to do their jobs with the Municipality's best interests in mind, not their own. Employees shall do their jobs without bias, without favour, without consideration of personal interests or those of family and friends and without allowing outside



interests to conflict with work decisions.

8. Employees shall remove themselves from decisions that might affect, or might be seen to affect the interests of other groups or organizations that they participate or are members in.
9. Employees shall not take on other work which:
 - Conflicts with Municipal work hours;
 - Interferes with the efficient performance of employee duties;
 - Competes with Municipal services; or
 - Creates a real or perceived conflict of interest with Municipal duties.

CONFLICT OF INTEREST

10. Employees are committed to making decisions impartially and in the best interests of the Village and recognize the importance of fully observing the requirements of Section 144 of the Municipalities Act with regard to the disclosure and avoidance of conflicts of interest. Employees shall not make decisions on behalf of the municipality, make recommendations to the municipality, use their position with the municipality, or take any action on behalf of the municipality in respect of matters in which they have or believe they have a Conflict of Interest.
11. Employees shall provide full disclosure when offering information in potential conflict situations. Where there might be a conflict between personal interests and those of the Municipality, employees shall disclose that fact immediately and seek guidance from the Administrator or Municipal Solicitor.
12. Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use his or her position to seek to influence a decision of another person so as to:
 - Further, or seek to further, his or her private interests or those of his or her family; or
 - Seek to improperly further another person's private interests.

CONFIDENTIAL INFORMATION

13. It is the responsibility of each employee to ensure that confidential information obtained in the scope of his employment is kept strictly confidential and is not released to anyone except as required by law. Confidential information means information that is not part of the public domain and information designated by council as confidential, such as personal information, internal policies, items under any legal proceeding, etc. Nor shall employees use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.
14. Requests for information should be referred to appropriate staff to be addressed as either an informal request for access to municipal records or as a formal request under the *Local Authority Freedom of Information and Protection of Privacy Act (LAFOIP)*.

GIFTS AND BENEFITS

15. No employee shall show favoritism or bias toward any vendor, contractor, or others conducting business with the Village of Debden.
16. Employees shall not accept or provide gifts from any vendor or contractor, where it may be perceived



to be in exchange for special treatment, which could give rise to a reasonable suspicion of influence to show favour or disadvantage to any individual or organization other than the normal exchange of gifts between persons doing business together. Accepting lunch, small gifts such as caps, mugs, jackets used as promotional items are considered a normal exchange of gifts of doing business together.

17. For these purposes, a fee or a gift or benefit provided with the employee's knowledge to an employee's spouse, child or parent is deemed to be a gift to that member.

CONDUCT AT MEETINGS OF COUNCIL

18. Staff shall conduct themselves with decorum at Council meetings in accordance with the provisions of the Municipal Procedural Bylaw.
19. Respect for delegates, for Council members and staff requires that all employees show courtesy and not distract from the business of Council during presentations and when other members have the floor. This does not mean that staff may not offer advice, comments or suggestions; but all comments must be accurate, respectful and suitably relate to the topic/subject at hand.

ENCOURAGEMENT OF RESPECT FOR THE MUNICIPALITY AND ITS BYLAWS AND POLICIES

20. Employees shall at all times endeavour to encourage public respect for the Municipality and its bylaws and policies.
21. Employees shall recognize that Municipal Council is the elected voice of the citizens of the Municipality and shall respect the decisions of Council, even if they disagree with such decisions. Employees shall implement decisions and policies of Council without comment or complaint so long as they are not illegal, immoral or improper.
22. Employees shall be careful to distinguish between personal comments or opinions expressed outside of the workplace and their jobs with the Municipality. Employees shall not make personal comments using municipal letterhead, municipal email addresses or anything that implies a connection between personal comments and the Municipality.
23. Employees shall not make comments that are defamatory in nature about the Municipality, Council, individual Council members or co-workers.
24. Employees shall not claim to speak on behalf of the Municipality unless they have been authorized to do so.

PERSONAL CONDUCT

25. Employees shall observe a high standard of professionalism when representing the Village and in their dealings with members of the broader community.
26. Employees should remain neutral in their service to all councillors providing the same level of service, information and responses to all requests no matter who should make them. This does not prevent individual employees from having conversations with Council members or relationships outside of work. What it means is that all information concerning Municipal business is shared equally and in an unbiased manner and that requests from one member are treated in the same manner as those from all other members.



27. Relations and communications between employees, between employees and council members, and between employees and the public, should always be civil and premised on mutual respect. This means that employees will not use offensive language or gestures, nor shall they engage in patronizing or condescending behaviour with one another, members of Council or the public.

PUBLIC TRUST

28. Employees are guardians of public funds and are responsible for delivering a wide range of important public services, which are supported by members of the public through their taxes. Employees owe the public nothing less than their full commitment to doing the best job they can.
29. No employee shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.
30. To ensure that employee conduct does not diminish respect for ourselves, co-workers and for the Municipality, employees shall maintain and exemplify the highest standards of behaviour through:
- devoting ourselves fully to our jobs during our scheduled working hours and not allowing personal activities (e.g. surfing the internet, personal errands) to interfere with work.
 - ensuring that all property (including cash, cheques, documents, inventories and equipment) in our care as part of our job is properly secured and protected at all times.
 - being honest, polite and courteous when we deal with people, whether they are members of the public, Council or co-workers.
 - fostering an atmosphere of collegiality and supporting coworkers in their work.
 - dressing appropriately.
31. Employees shall not take actions which will:
- harass or intentionally intimidate others.
 - manipulate, falsify, alter or amend documents, information or records for fraudulent purpose.

INFLUENCE OF COUNCIL

32. Each employee works for the Municipality as a body corporate and is charged with making recommendations that reflect their professional expertise and corporate perspective without undue influence from any individual member or group of members of Council.
33. Each employee shall endeavour to provide a high quality of advice based on political neutrality and objectivity irrespective of party politics, the loyalties of persons in power, or their personal opinions.
34. Council has delegated responsibility to the Administrator for the administration of the affairs of the Municipality in accordance with the Bylaws and policies adopted. This means that under the direction of the Administrator, staff has the responsibility and the authority to provide consultation, advice and direction to Council and to implement Council approved policy.

PERSONAL USE OF MUNICIPAL PROPERTY

35. There shall be no use or appropriation of municipal-owned vehicles, equipment, property, facilities, services, or information for personal use, gain or business by employees, unless that municipal property is generally available to the public and is being used by the employee in that capacity like any other member of the public (i.e. using a Municipal park or other facility for recreational purposes).



36. Employees shall ensure that the business of the Village is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of municipal resources.
37. This general rule will be subject to exceptions:
- If personal use of the Municipal property is provided as part of employment or duties and the personal use is:
 - approved by Council;
 - contained in a an official job description; or,
 - within an employment agreement.
 - If the use of Municipal property consists of the personal use of telephones, internet, computers, fax machines, cell phones, or photocopiers and all of the following are satisfied:
 - Use does not cause any additional expense to the Municipality (i.e. there is full reimbursement of any charges)
 - Use is not excessive having regard to the circumstances;
 - Use does not have a negative overall impact on Employee productivity; and
 - Use does not interfere with the normal operation of the municipality or negatively impacts other employees.

Specific Rules relating to Computers

38. Electronic records stored on Municipal computer systems or equipment are the property of the Village of Debden. The Municipality maintains the right to access and monitor records in electronic format including flash drives, hard drive and emails.
39. Technology resources are to be used primarily for municipal business purposes to safeguard and protect the Municipality's assets and information. Users of Municipal computer equipment shall not:
- Attempt unauthorized access to systems, information, processes or products;
 - Broadcast e-mail messages that are not work related or are otherwise authorized;
 - Access websites that may propagate viruses, or send or download materials which may impact the operating efficiency of the system;
 - view, retrieve, transmit or disseminate any messages, images or materials which may be deemed inappropriate or are offensive to human dignity.
40. Only licensed software and registered shareware acquired by and paid for by the municipality are to be operated on the municipal system. Computer games acquired by and paid for by the municipality as part of a training package may be installed on municipal equipment but no other games, including shareware games, are to be installed on municipal equipment. No municipally licensed software is to be copied or transferred to home computers.
41. No software of a personal nature is to be maintained on the municipal system.

ALCOHOL AND DRUG USE

42. While within the Workplace, no use of non-prescription or illegal or legal drugs are permitted. Employees must sign and abide by Village of Debden's Zero Tolerance Policy 4/2018.



WHISTLE BLOWING

43. None of the following measures shall be taken against a Municipal Employee by reason that the Employee has, in good faith, engaged in opposition to a Municipal Initiative or has disclosed a Wrongdoing in the manner set forth in this policy:
- a disciplinary measure;
 - the demotion of the Employee;
 - the termination of the employment of the Employee; and,
 - a threat to take any of the measures above.
44. It is important that the disclosure of wrongdoing be reported to the appropriate law enforcement or other official who has been entrusted with responsibility for monitoring and combating wrongdoing such as:
- To a police officer or other law enforcement official;
 - To the Mayor and Council of the Municipality;
 - To the Administrator of the Municipality;
 - To the direct Supervisor of the Municipality;
 - To the Auditors of the Municipality;
 - To the Municipal Solicitor;
45. Any individual who receives an allegation of wrongdoing from any individual shall consult with the Administrator and/or Municipal Solicitor to determine what kind of response is appropriate to the particular allegation.
- ## **APPLICATION - COMPLAINT PROCESS**
46. The formal portion of the Complaint Process requires that a complaint be made in writing setting out the grounds for the belief that there is an alleged contravention.
47. Each complaint shall include a supporting affidavit that sets out the evidence in support of the complaint.
48. The complaint shall be filed through the Administrator on the municipal complaint form provided and signed.
49. Any submissions or written comments together with the personal information of the complainant made to the Municipality under this or any other process will become part of the public record and may be reproduced, recorded and/or reported on line. There is no promise of confidentiality provided to the complainant under this process; it is to be open and transparent.
50. Unsigned and/or anonymous complaints will not be recognized or acted upon.
51. Complaints that are considered frivolous and vexatious by the Administrator will not be subjected to the costs of investigation. In this instance "frivolous" means "not having any serious purpose or value" and "vexatious" means "annoying or harassing". These complaints shall be included in the report to Council.



PROBLEM RESOLUTION

52. The Village of Debden is committed to sustaining a positive work environment in which employees work constructively together. It is the intention of the Village to resolve any conflict or complaint quickly, fairly and without reprisal thereby improving communication and understanding between employees; and between employees and their supervisor.
53. Employees who are experiencing a work related conflict or complaints are encouraged to resolve it through discussions with their supervisor.
54. All requests for conflict resolution, complaints and appeals shall be fully investigated and a reply will be given as quickly as possible.
55. Penalty or retaliation against an employee who initiates conflict resolution or makes a complaint or participates in a problem resolution investigation will not be tolerated and will be subject to disciplinary action.
56. Although not required, employees are generally encouraged to follow the informal approach to problem resolution;

Informal conflict resolution process

- Employees who experience a work related conflict, firstly should discuss with their supervisor

Formal conflict resolution process

- If complaint is still unresolved, a formal complaint (written & oral) will be presented to the Administrator, who will conduct an investigation and recommend resolution.
- Matters of conflict or complaints will pass through Alternative Dispute Resolution mechanics such as mediation, arbitration and neutral evaluation. All these channels must be exhausted.
- If all the above fails in resolving the complaint, the employee is now at liberty to file for formal litigation.

INTERPRETATION


57. Employees are expected to comply with this Code of Conduct. Employees or members of Council seeking clarification of any part of this Policy should consult first with the Administrator. Employees have a responsibility to request interpretation of the Code if they are unsure whether their behavior, circumstances or interests contravene the Code.
58. Complaints received will be reviewed by the Administrator with the complainant or the person complained about. Together they will discuss options and further steps for resolution.
59. If the issue can be resolved by the Administrator and to the satisfaction of the complainant, no further action will be required aside from mention in the report to Council.
60. If the breach of the code is severe and is not easily remedied, the Administrator shall within 30 days of receipt of the complaint and with the assistance of the Municipal Solicitor if required, commence an investigation. Depending on the situation, an outside firm may be hired by Administrator, at their discretion, to complete the investigation.
61. Extended time to commence an investigation, if justified, may be authorized by a resolution of Council.
62. After consultation with the Municipal Solicitor and/or investigator, as required, the Administrator shall



determine if an employee or employees have committed a breach of the code.

63. Pending the outcome of any investigation, the Administrator shall implement disciplinary action as per the Municipal Discipline and Dismissal Policy.
64. When complaints arise, the Administrator shall provide a report to Council for review. This report shall provide a list of investigations, and include the costs and the status of the individual investigations.
65. As all complaints against staff are in fact personal matters about an identifiable individual they will be kept confidential to the best of the ability of the Administrator, staff and investigators.
66. The Administrator may consult with legal counsel as may be required in determining points of law.
67. If the complaint concerns the Administrator, it will immediately be submitted to the Municipal Solicitor for resolution. The Solicitor may choose to dismiss the complaint, perform an investigation himself or hire an independent investigator.
68. The resulting investigative report will include recommendations for remedy, discipline or dismissal as per the Municipal Discipline and Dismissal Policy as required.
69. Any report shall remain confidential as it would be considered personal information about an identifiable individual. The report shall be received by Council who will ultimately discuss the contents in closed session. A vote on the recommendations of the Municipal Solicitor will then be made in open session.
70. Subject to the requirements of any disciplinary policy of the Municipality, enforcement may include disciplinary action up to and including dismissal.

ENFORCEMENT

71. Proactively, the Administrator shall give a copy of this policy to each new Employee at the time of hire.
 72. The policy will be made available on a continuing basis to all staff through electronic means so that every employee has access to it and can read, download, or print a copy.
 73. Failure to receive training will not be an excuse for non-compliance with this policy.
 74. The Administrator is under a positive obligation to enforce this policy and deal with breaches of the policy by subordinates that have come to their attention as appropriate in the circumstances.
 75. Reactively, if any person, including a member of the public, wants to make a complaint that someone has breached this policy; the allegation shall be referred to the Administrator who will take appropriate action as contained within this policy.
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ACCOUNTABILITY

76. Employees shall:

- Know the Code and comply with its principles.
- Disclose breaches of the Code immediately, whether they are committed by ourselves or a co-worker.
- Cooperate fully with investigations into alleged wrongdoing.
- Understand that breaches of the Code shall be subject to disciplinary action, up to and including termination.
- If required seek interpretation of the Code from the Administrator) and/or Solicitor's office.
- Make observance of the Code part of their daily work and review the Code as part of annual performance reviews.
- NOT retaliate against anyone who has come forward with a complaint, or is a witness to a complaint.
- NOT assume that violations of the values in this Code are someone else's problem.

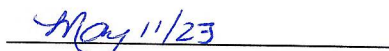
If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach.

Failure to disclose, may result in, but are not limited to:

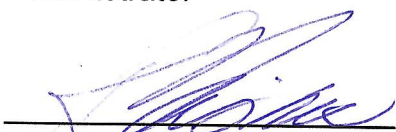
- a) Formal Warning
- b) Disciplinary letter, copy to be placed in employees file
- c) Ethics training
- d) Suspension, short term or long term
- e) Termination



Administrator



Council Meeting Date



Mayor

I certify that I have read and understand this document

Employee Name

Employee Signature

Date

