

Approved by Council: February 22, 2016

CODE OF ETHICS AND CONDUCT FOR EMPLOYEES

BACKGROUND

Acceptable behavior of a municipal employee differs from that of employees in the private sector as municipal employees work for a public institution ultimately accountable to the public. Given this, it is important to have a distinct code of conduct in place for municipal employees to ensure their work is done with integrity, to ensure an appropriate level of service within budget constraints, to manage public perceptions, to avoid favoritism, to protect confidential information, to avoid personal gain from the use of position, while protecting the rights of individual municipal employees and residents within the Town.

PURPOSE:

This policy is to assist municipal employees in navigating the ethical implications of the decisions they make on a daily basis.

These guidelines are additional to any requirements at law and do not excuse any employee from complying with any common law or statute law.

POLICY:

DEFINITIONS:

Town Assets include all property of the Town including equipment, financial assets, land, buildings and other structures, vehicles, materials, computers, electronic mail, internet services, information, and work time.

Conflict of Interest arises when an employee's personal interests, due to an outside business activity that they or their family are involved with, are in conflict with their duties as a municipal employee.

Council is Town of Redcliff's body of elected officials, as set out in Alberta's Municipal Government Act.

Councillors are elected officials of the Town of Redcliff Council (including the Mayor), as set out in Alberta's Municipal Government Act.

Family of a municipal employee includes the employee's spouse, common-law partner, parent, grandparent, grandchild, guardian, parent of current spouse, child or ward, brother, sister, niece, nephew, brother-in-law, sister-in-law, fiancé, or a related dependent of the employee.

Municipal Employee is a person who is employed by the Town of Redcliff. Councillors are not employees.

Political Activity includes but is not limited to being a member of a political party, participating in a political party's activities, soliciting donations for a political party, and running for political office.

Town means Town of Redcliff.

Municipal Manager means the Chief Administrative Officer of the Town of Redcliff, as defined in the *Municipal Government Act*.

CODE OF CONDUCT FOR MUNICIPAL EMPLOYEES

1. GENERAL PERSONAL CONDUCT:

- 1.1 Municipal employees shall perform their duties with integrity, honesty, respect, and in a spirit of public service.
- 1.2 Municipal Employees shall show respect and accountability to each other, Councillors, and the public at all times.
- 1.3 Municipal Employees shall be polite and courteous at all times and shall refrain from the use of inappropriate and lewd language (including scenario's that may be considered and/or perceived to be in jest).
- 1.4 Municipal Employees shall treat others equitably and fairly.
- 1.5 Municipal Employees shall recognize and value the diversity among workgroup members, customers and citizens.
- 1.6 Municipal Employees shall accept responsibility for their actions, behavior and impact on others.
- 1.7 Municipal Employees shall take action in a prompt, impartial and confidential manner when issues concerning lack of respect in the workplace come to their attention.
- 1.8 Municipal Employees shall ensure that no person suffers reprisal as a result of making a complaint, or for providing information in support of conflict resolution.
- 1.9 Municipal Employees shall contact one of the following resources for assistance in effectively dealing with conflict: immediate Supervisor, a Department Head, or the Municipal Manager.
- 1.10 Municipal Employees shall immediately inform a supervisor, department head, or Municipal Manager of incidents of threat or violence.

2. WORK TIME AND TOWN ASSETS:

- 2.1. Municipal Employees shall use Town assets only for the performance of Town duties.
- 2.2. Municipal Employees shall safeguard Town assets.
- 2.3. Municipal Employees shall avoid inappropriate uses of Town assets.
- 2.4. Employees are not allowed to perform maintenance on private vehicles in the Town Shop or in the maintenance yard.
- 2.5. Tools or equipment owned by the Town are not to be loaned or rented to employees. Except as specifically authorized elsewhere in Town policies, under no circumstance are tools or equipment owned by the Town to be used for the personal benefit of employees.

3. OUTSIDE BUSINESS ACTIVITIES:

- 3.1 Prior to a municipal employee taking on any outside business activities, it is important that that employee notify the Municipal Manager of the Town, in writing, of any such proposed activity.
- 3.2 Before a municipal employee takes on any outside business activities, it is important that they consider the following:
 - a) Will the outside business activity interfere with their duty as a municipal employee?
 - b) Will the outside business activity influence their ability to do their job with the Town objectively, impartially, safely and efficiently?
 - c) Will their job with the Town give them any special influence in the outside business activity?
- 3.3 For municipal employees that are already engaged in outside business activities, they must notify the Municipal Manager of such activities within 30 days of this policy coming into force.
- 3.4 Once a municipal employee discloses outside business activities to the Municipal Manager in accordance with section 3.3, the CAO will determine whether the outside business activity conflicts with the municipal employee's employment with the Town.
- 3.5 If there is a major conflict of interest, the Municipal Manager may ask the municipal employee to choose between ceasing that outside business activity and resigning from their job at the Town.

4. DEALING WITH RELATIVES:

- 4.1 Municipal employees shall not issue municipal permits to themselves or their family.
- 4.2 If a municipal employee's family member requires a permit from that municipal employee's department, another municipal employee, such as a supervisor, may issue the permit so as not to hinder the municipal employee's family member's ability to conduct business with the Town.
- 4.3 Municipal employees may not hire a member of their family to work for the Town.
- 4.4 If a member of a municipal employee's family wishes to pursue employment with the Town, their recruitment will be handled by another municipal employee as designated by the Municipal Manager.
- 4.5 Family members who work for the Town are not permitted to be in a direct reporting relationship.

5. HANDLING OF INFORMATION:

- 5.1 Municipal employees are privy to a great deal of confidential information about Town residents, businesses, other levels of government, and other organizations and individuals. As such, municipal employees must handle confidential information in accordance with Alberta's *Freedom of Information and Protection of Privacy Act*, especially as stipulated in sections 16 to 29.

6. PUBLIC STATEMENTS:

- 6.1 The Mayor is the Chief Spokesperson for the Town.
- 6.2 Municipal Employees are to advise the Municipal Manager of any queries or questions posed to them by the media.
- 6.3 No municipal employee may speak to the media concerning any issue pertaining to the Town without permission from the Municipal Manager.
- 6.4 Municipal employees must not disclose confidential information to the public and/or media, in accordance with Alberta's *Freedom of Information and Protection of Privacy Act*.
- 6.5 Municipal employees must not post anything on social media that would place the Town in a negative light.
- 6.6 Municipal employees must not make negative statements about Town policy to the media nor post statements about Town policy on any social media.

7. APPEARING BEFORE TOWN COUNCIL:

- 7.1 From time to time, the Municipal Manager may call upon individual municipal employees to appear before Council at Council Meetings to provide Council with information it needs to make a decision.
- 7.2 Municipal employees who wish to appear before Council to speak as residents must consult with the Municipal Manager and be in accordance with the Town's current procedural bylaw prior to doing so.

8. GIFTS:

- 8.1 Municipal employees must not accept payment for doing something that they are paid to do as part of their job with the Town.
- 8.2 Municipal employees must not accept gifts as this may give the appearance that their services to certain residents and/or businesses is being purchased through gifts.

9. POLITICAL ACTIVITY:

- 9.1 Under the *Canadian Charter of Rights and Freedoms*, an individual has the right to be a member of a political party (*Canadian Charter of Rights and Freedoms, 2. Fundamental Freedoms (d) Freedom of Association*).
- 9.2 Part of the nature of a municipal employee's work is that it is apolitical. Each municipal employee must take care that their participation in a political party's activities does not affect their apolitical objectivity in their work at the Town.
- 9.3 If a municipal employee solicits donations for a political party, they must not do so on Town property, nor during work time, nor shall they represent themselves as a Town employee while soliciting donations.
- 9.4 If a municipal employee wishes to run for political office, they must notify the Municipal Manager in writing.
- 9.5 The Municipal Manager will grant out-of-scope municipal employees who wish to run for political office a leave of absence without pay, pursuant to Alberta's *Local Authorities Election Act*. For CUPE members, the current collective agreement shall also be applied.

10. CONSEQUENCES OF NON-COMPLIANCE:

- 10.1.** Any breach of this policy will be treated as misconduct.
- 10.2.** The Town will take corrective action in response to any infraction or transgression of this policy.
- 10.3.** Misconduct will be reviewed and may result in disciplinary action being taken against the municipal employee, up to and including:
- dismissal from employment,
 - seeking full financial restitution,
 - commencement of civil action,
 - criminal prosecution,
 - instructing the municipal employee to divest themselves of an outside interest,
 - transferring the municipal employee to another position, or
 - a combination of the above.

11. RESPONSIBILITIES:

- 11.1.** Employees are responsible for:
- Signing a document acknowledging receipt of the Code of Conduct.
 - Reading and complying with the Code of Conduct and requesting clarification from their Department Heads as required.
 - Requesting clarification about any potential violation of the Code of Conduct, including conflict of interest, and obtaining approval from their supervisor or Department Head as required.
 - Disclosing in writing to the Municipal Manager, through their Department Head, any current personal, business, commercial, or financial interest which may result in a violation of the Code of Conduct.
 - Reporting suspected violations of the Code of Conduct to their supervisor(s), their Department Head, or the CAO.
 - Co-operating with those performing an investigation.
- 11.2.** Supervisors are responsible for:
- Assisting employees in the administration, interpretation and application of the Code of Conduct.
 - Reporting any alleged violations of the Code of Conduct to their immediate supervisor, their Department Head, or the Municipal Manager.
- 11.4.** Department Heads are responsible for:
- Each employee receiving a copy of the Code of Conduct.
 - The consistent administration of the Code of Conduct within their department.
 - Documenting and retaining any major approvals, decisions or directions given to employees in relation to the Code of Conduct.
 - Reporting any significant alleged violations of the Code of Conduct to the Municipal Manager.
 - Investigating any routine alleged violations of the Code of Conduct.

- Reporting status and results of investigations to the Municipal Manager.

11.5. The Municipal Manager is responsible for:

- The consistent administration and communication of the Code of Conduct by departments.

12. VIOLATION REPORTING:

- 12.1. When a violation is reported, the identity of the complainant will be kept confidential, unless otherwise stipulated in the *Freedom of Information and Protection of Privacy Act*.
- 12.2. If an employee who has in good faith reported a potential violation of the Code of Conduct is subject to retaliatory action, the employee should report the action to their supervisor(s), the department head, or the Municipal Manager.
- 12.3. Submitting a false report will be subject to disciplinary action.
- 12.4. Employees violating the Code of Conduct will be subject to disciplinary action in accordance with the current collective agreement and Town personnel policies. They may also be prosecuted criminally, and may also be subject to civil proceedings.

13. MISCELLANEOUS:

- 13.1. This code shall apply to all municipal employees, including the Municipal Manager.
- 13.2. The Municipal Manager may designate someone to implement this policy or any part or parts of this policy. However, the responsibility for implementing this policy lies chiefly with the Municipal Manager.
- 13.3. This code shall come into effect upon endorsement by Council.