

Town of Whitewood Statement of POLICY and PROCEDURE			
Department:	All Departments	Policy No.	18
Section		Issued:	
Subject:	Municipal Employee Code of Conduct	Effective:	
Council Resolution # and Date:		Page:	
Issued By:		Replaces:	
Approved By:		Dated:	

1. POLICY

- 1.01 The Town of Whitewood shall establish a Municipal Employee Code of Conduct

2. PRINCIPLE

- 2.01 Our employees must observe the highest standards of 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 or doing or seek to do business with the municipality.

A conflict of interest includes but is not limited to circumstances in which the employee is able to use their position as an employee to obtain a personal benefit for themselves or for that of a third party that is generally unavailable to the public at large.

- 2.02 Employees will strive to represent our Town and community positively in their conduct and behaviors and commit to demonstrating honesty, integrity and respect in all that is done.
- 2.03 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.

3. PURPOSE

This Code of Conduct is intended to:

- Provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- Protect the public interest;
- Promote high ethical standards among municipal employees;
- Provide a means for municipal employees to obtain authorization for conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct; and
- Set out the corrective measures for unethical conduct.

4. CONFIDENTIALITY:

- 4.01 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 municipality. 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.
- 4.02 Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information that is obtained as a result of his or her employment and that it is not available to the public 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.

5. USE OF INFLUENCE:

- 5.01 The municipality strives to ensure fairness and objectivity in its decision-making process.
- 5.02 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 interest

6. NEPOTISM

- 6.01 All town employees shall report familial relationships to other town employee and shall further disclose the nature of the familial relationship.

Town Employees shall not utilize their employment position to exercise favoritism or provide preferential treatment to other employees or to potential employees. Nor shall Town Employees discriminate against other employees or potential employees on the basis of a familial relationship. In all respects town employees shall be treated impartially regardless of the familial relationship.

Where a member of the public or Town employees suspects that another employee is, or may potentially in conflict with the Code of Conduct as it relates to s. 6.01 herein, shall disclose the conflict or potential conflict, **in writing**, to

- The Administrator (CAO) of the Municipality
- The Mayor of the Municipality in the case of the Administrator.

Where a disclosure is made, the matter will be treated seriously and in confidence. The Administrator or Mayor must review the disclosure within five (5) business days, from the date the disclosure is made, and determine the appropriate course of action to address the complaint, if such complaint is substantiated.

7. ACCEPTANCE OF GIFTS

- 7.01 An employee shall not accept a gift, favor or service from any individual, organization or corporation other than the normal exchange of gifts between persons doing business together; or the normal presentation of gifts to persons participating in public functions. Any gift over \$100 should be reported to the Administrator who will make a decision on its appropriateness under this policy.

8. NEGLIGENCE

- 8.01 Negligence in the performance of duties shall include blatant disregard and violation of Town policies and procedures.

9. INSUBORDINATION

- 9.01 Excluding for reasons of safety or illegality, insubordination shall include refusal to carry out direction given by a supervisor.

10. MISUSE OF LEAVE AND UNSATISFACTORY ATTENDANCE

10.01 Misuse of leave and unsatisfactory attendance shall not be tolerated. Refer to the *Leave of Absence Section* of the Town Employee Policy.

11. THEFT AND/OR DISHONESTY

11.01 Theft shall include but not be limited too taking Town or another employee's property. Dishonesty shall but not be limited to falsifying records for any reason.

12.03 Occurrences of Theft and/or dishonesty shall be subject to disciplinary action, up to and including termination for a single offence.

12. CONSUMPTION OR POSSESSION OF INTOXICATING SUBSTANCES

12.01 Employees must abide by applicable laws and regulations governing possession and consumption of any intoxicating substances, including alcohol, cannabis, drugs-prescribed medications, or recreational substances.

12.02 It is not permissible for employees to attend their job duties and responsibilities in a condition of being unfit for such duties. Being unfit for duty means having consumed or used any alcohol, cannabis, drugs or recreational substances. Being unfit for duty will include having consumed or used any prescribed Substance that may impair their own work performance where such impairment has not been disclosed to the supervisor in accordance with this policy or where the employee's usage is not in compliance with their prescription.

12.03 Employees have a duty to notify their supervisor if they suspect another employee is not fit for duty or if they are using any form of prescribed substances that may impair their own work performance to the point of being unfit for work.

12.04 A supervisor's assessment with respect to an employee's use of alcohol, cannabis, drugs, prescribed substances, or recreational substances or fitness for duty will be based on the supervisor's best judgement and observations of impairment. If a supervisor's assessment is that the employee is unfit for duty and is the employee's first offence, the employee will be removed from duty and suspended for three days without pay and may be terminated for just cause at the discretion of the supervisor.

12.05 Accommodation for the use of any prescribed substance will be considered by the supervisor where an employee (1) notifies their supervisor of any prescribed medication that may affect the employee's fitness for duty and (2) provides

supporting medical evidence and any restrictions that affect the employee's ability to be fit for duty.

- 12.06 A prescription or legal authorization for cannabis does not entitle an employee to smoke or otherwise consume medicinal cannabis in the workplace. Normal smoke-free laws and the Smoking Bylaws will be applied to medicinal cannabis use on all Town of Whitewood property.

13. PERSONAL USE OF MUNICIPAL PROPERTY OR EQUIPMENT

- 13.01 There shall be no use or appropriation of municipal property, facilities, and 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)

- 13.02 If the use of municipal property consists of the personal use of telephone, Internet, computers, fax machines, cell phones or photocopiers and all of the following are satisfied, this general rule is subject to exception if:

- Use does not cause any additional expense to the municipality (i.e.: there is full reimbursement of any charges);
- Use is not excessive in regards 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 impact other employees.

14. COMPUTERS

- 14.01 Electronic records stored on municipal systems or equipment are the property of the Town of Whitewood. The Town maintains the right to access and monitor records in electronic format including flash drives, hard drive and emails.

- 14.02 Users of Town computer equipment shall not:

- Attempt unauthorized access to systems, information, processes or products;
- Broadcast email messages that are not work related or are otherwise authorized;
- Propagate viruses, send or download materials which may impact the use or performance of others;

- View, retrieve, transmit or disseminate:
 - Any pornographic or obscene messages, images or materials;
 - Any other message, images or materials which are offensive to human dignity

15. INSTALLATION OF SOFTWARE

- 15.01 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 municipality licensed software is to be copied or transferred to home computers.
- 15.02 No software of a personal nature is to be maintained on the municipal system.

16. PROCEDURES

- 16.01 Employees are expected to comply with the Code of Conduct. Employees have a responsibility to request an interpretation of the Code from the municipality's senior administrative official (the Administrator) if they are unsure whether their behavior, circumstances, or interests contravene the Code.

- 16.02 Where an employee suspects that he or she is, or may potentially be, in conflict with any of the provisions of the Code, the employee must disclose the conflict or potential conflict **in writing**, to:

- The Administrator (CAO) of the Municipality
- The Mayor of the Municipality in the case of the Administrator (CAO)

The disclosure should include a detailed description of the conflict or potential conflict.

- 16.03 Where a member of the public suspects that an employee is, or may potentially, be in conflict with any of the provisions of the Code, the member of the public must disclose the conflict or potential conflict, **in writing**, to

- The Administrator (CAO) of the Municipality
- The Mayor of the Municipality in the case of the Administrator.

- 16.04 Where a disclosure is made, the matter will be treated seriously and in confidence. The Administrator or Mayor must review the disclosure within five (5) business days, from the date the disclosure is made, and determine the appropriate course of action to address the actual or potential conflict.

17. ENFORCEMENT

- 17.01 The Administrator shall give a copy of this policy to each Employee at the time of hire.
- 17.02 Failure to comply due to lack of familiarization with this Code will not be an excuse for non-compliance.

18. ACCOUNTABILITY

- 18.01 Employees are expected to:
- Know the Code and regulate their conduct accordingly
 - Disclose breaches of the Code immediately
 - Cooperate fully with investigations into alleged wrongdoing
 - Understand the 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

19. FAILURE TO DISCLOSE CONFLICT OF INTEREST PROCEDURES

- 19.01 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 of the Conflict of Interest provisions of this Code.
- 19.02 The complaint shall be filed through the Administrator (CAO) on the municipal complaint form which is part of this Code.
- 19.03 Any submissions or written comments together with the personal information of the complaint 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. This is no promise of confidentiality provided to the complainant under this process; it is to be open and transparent.
- 19.04 Unsigned and/or anonymous complaints will not be recognized or acted upon.
- 19.05 Complaints that are considered frivolous and vexatious by the Administrator will not be subjected to an investigation.

(Seal)

Mayor

Office Use Only:

Received on: _____

Employee Signature _____

CAO Signature _____

Current Employee Declaration

I, _____, being employed by the Town of Whitewood in the position of _____, do hereby declare that I have reviewed and understood the Town of Whitewood's Employee Code of Conduct and accept them as written. I further agree that all previous related policies and practices are hereby declared null and void, to be replaced by the new policies prepared in _____.

Dated at Whitewood, Saskatchewan, this _____ day of _____.

Witness

Employee

Per Town of Whitewood

NEW EMPLOYEE DECLARATION

I, _____, having been hired by the Town of Whitewood to the position of _____, do hereby declare that I have reviewed and understood the Town of Whitewood's Employee Code of Conduct as revised in _____ and accept them as written.

Dated at Whitewood, Saskatchewan, this _____ day of _____

Witness

Employee

(Per Town of Whitewood)