



# DISTRICT OF BARRIERE

## POLICY MANUAL

Approval Date: \_\_\_\_\_

<b>NO: 40</b>	<b>DRAFT</b>
<b>DEPARTMENT:</b>	<b>HUMAN RESOURCES</b>
<b>SUBJECT:</b>	<b>CODE OF ETHICS AND CONDUCT FOR EMPLOYEES POLICY</b>

### **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 District.

### **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:**

***District Assets*** include all property of the District 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 District of Barriere's body of elected officials, as set out in the *Community Charter*.

***Councillors*** are elected officials of the District of Barriere Council (including the Mayor), as set out in the *Community Charter*.

***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 District of Barriere. 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.

**District** means District of Barriere.

**CAO** means the Chief Administrative Officer of the District of Barriere, 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 around the public (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 CAO.
- 1.10 Municipal Employees shall immediately inform a supervisor, department head, or CAO of incidents of threat or violence.

### **2. WORK TIME AND DISTRICT ASSETS:**

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

**3. DEALING WITH RELATIVES:**

- 3.1 Municipal employees shall not issue municipal permits to themselves or their immediate family.
- 3.2 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 District.
- 3.3 Municipal employees may not hire a member of their family to work for the District.
- 3.4 If a member of a municipal employee's family wishes to pursue employment with the District, their recruitment will be handled by another municipal employee as designated by the CAO.
- 3.5 Family members who work for the District are not permitted to be in a direct reporting relationship.

**4. HANDLING OF INFORMATION:**

- 4.1 Municipal employees are privy to a great deal of confidential information about District residents, businesses, other levels of government, and other organizations and individuals. As such, municipal employees must handle confidential information in accordance with BC's *Freedom of Information and Protection of Privacy Act* as per the District of Barriere Employee Confidentiality Policy.

**5. PUBLIC STATEMENTS:**

- 5.1 Municipal Employees are to advise the CAO of any queries or questions posed to them by the media.
- 5.2 No municipal employee may speak to the media concerning any issue pertaining to the District without permission from the CAO.
- 5.3 Municipal employees must not disclose confidential information to the public and/or media, in accordance with BC's *Freedom of Information and Protection of Privacy Act*.
- 5.4 Municipal employees must not post anything on social media that would place the District in a negative light.
- 5.5 Municipal employees must not make negative statements about District policy to the media nor post statements about District policy on any social media.

**6. APPEARING BEFORE DISTRICT COUNCIL:**

- 6.1 From time to time, the CAO may call upon individual municipal employees to appear before Council at Council Meetings to provide Council with information it needs to make a decision.
- 6.2 Employees in attendance of a Council or Committee meeting will avoid participating in a Council debate unless called upon by Council or the CAO to relay information in order to assist with the debate and will refrain from sharing personal opinion unless expressly asked by the CAO or Council.
- 6.3 Municipal employees who wish to appear before Council to speak as residents must consult with the CAO and be in accordance with the District's current procedural bylaw prior to doing so.

**7. GIFTS:**

- 7.1** Municipal employees must not accept payment for doing something that they are paid to do as part of their job with the District.
- 7.2** 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.

**8. POLITICAL ACTIVITY:**

- 8.1** 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*).
- 8.2** 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 District.
- 8.3** If a municipal employee solicits donations for a political party, they must not do so on District property, nor during work time, nor shall they represent themselves as a District employee while soliciting donations.
- 8.4** If a municipal employee wishes to run for political office, they must notify the CAO in writing.
- 8.5** The CAO will grant out-of-scope municipal employees who wish to run for political office a leave of absence without pay, pursuant to BC Legislation. For CUPE members, the current collective agreement shall also be applied.

**9. CONSEQUENCES OF NON-COMPLIANCE:**

- 9.1** Any breach of this policy will be treated as misconduct.
- 9.2** The District will take corrective action in response to any infraction or transgression of this policy.
- 9.3** Misconduct will be reviewed and may result in disciplinary action being taken against the municipal employee, up to and including:
  - a)** dismissal from employment,
  - b)** seeking full financial restitution,
  - c)** commencement of civil action,
  - d)** criminal prosecution,
  - e)** transferring the municipal employee to another position, or
  - f)** a combination of the above.

**10. RESPONSIBILITIES:**

- 10.1** Employees are responsible for:
  - a)** Signing a document acknowledging receipt of the Code of Conduct.
  - b)** Reading and complying with the Code of Conduct and requesting clarification from their Department Heads as required.
  - c)** 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.
  - d)** Disclosing in writing to the CAO, through their Department Head, any current personal, business, commercial, or financial interest which may result in a violation of the Code of Conduct.
  - e)** Reporting suspected violations of the Code of Conduct to their supervisor(s), their Department Head, or the CAO.

- f) Co-operating with those performing an investigation.
- 10.2 Supervisors are responsible for:
  - a) Assisting employees in the administration, interpretation and application of the Code of Conduct.
  - b) Reporting any alleged violations of the Code of Conduct to their immediate supervisor, their Department Head, or the CAO.
- 10.3 Department Heads are responsible for:
  - a) Each employee receiving a copy of the Code of Conduct.
  - b) The consistent administration of the Code of Conduct within their department.
  - c) Documenting and retaining any major approvals, decisions or directions given to employees in relation to the Code of Conduct.
  - d) Reporting any significant alleged violations of the Code of Conduct to the CAO.
  - e) Investigating any routine alleged violations of the Code of Conduct.
  - f) Reporting status and results of investigations to the CAO.
- 10.4 The CAO is responsible for:
  - a) The consistent administration and communication of the Code of Conduct by departments.

## **11. VIOLATION REPORTING:**

- 11.1 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*.
- 11.2 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 CAO.
- 11.3 Submitting a false report will be subject to disciplinary action.
- 11.4 Employees violating the Code of Conduct will be subject to disciplinary action in accordance with the current collective agreement and District personnel policies. They may also be prosecuted criminally and may also be subject to civil proceedings.

## **12. MISCELLANEOUS:**

- 12.1 This code shall apply to all municipal employees, including the CAO.
- 12.2 The CAO 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 CAO.
- 12.3 This code shall come into effect upon endorsement by Council.