

Village of Forget
BYLAW NO. 2-2018

A BYLAW TO REGULATE EMPLOYEE CODE OF CONDUCT

The Council of The Village of Forget, in the Province of Saskatchewan, enacts as follows:

EMPLOYEE CODE OF CONDUCT

I. STATEMENT:

Local Government is an open, accessible and accountable form of government. To enhance the relationship of public trust and mutual respect that has evolved between government and the public requires high standards of ethical conduct by municipal employees.

II. PRINCIPLES:

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 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:

- detrimentally 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.

III. 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.

IV. DEFINITIONS:

- a) **Municipal Employee** – includes all employees and officers of the Village of Forget
 - b) **Public Comment** – disclosures made in a public speech, lecture, radio or television broadcast, in the press or book form.
 - c) **Corporation & Municipality** – means the Village of Forget.
 - d) **Just Cause** – Means sufficient or proper reason for discipline or discharge.
 - e) **Council & Administrator** – Means the Council or Administrator of the Village of Forget.
-
- f) **Confidential Information** – While the classification of information as “Confidential” is a matter of administrative discretion whether labelled as confidential or not, disclosure of information will not constitute a breach of the Code of Conduct unless the information is of an inherently confidential nature such as:
 - 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.
 - Personal data of employees or others;
 - Records of a financial nature reflecting information given or accumulated in confidence;
 - Records related to internal policies and practices which, if disclosed, may prejudice the effective performance of a municipal operation;
 - Files prepared in connection with litigation and adjudicative proceedings;
 - Reports of consultants, policy drafts and internal communications which, if disclosed, may prejudice the effective operation of a municipal operation or impugn the reputation of any person;
 - Any report prepared for Council is to be released only by Council; and
 - Information regarding the acquisition or disposal of land.

V. CONFIDENTIALITY:

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. 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 is not available to the public to:

- To use confidential information which is not available to the general public and to which the employee has access by reason of his/her employment with the

- Municipality to further his/her interests or the interests of others; and
- To disclose to unauthorized persons confidential information to which the employee has access by reason of his/her employment with the Municipality.

VI. RESPONSIBILITIES:

A. EMPLOYEES:

- a) **Integrity** – Ultimately, ethical behavior relies on the diligence of the individual. However, since a breach of ethics impacts not only on the individual but also the corporation, a code of conduct is the means by which the municipality acknowledge their responsibility in this area as well as, their responsibility to provide clarity to their employees on what would be considered inappropriate behavior. Without restricting the scope of this policy, the following shall be considered breaches of the Code of Conduct:
- i. Conduct in one's private life of employment activities which harms the Municipalities reputation or renders the employee unable to perform his or her duties satisfactorily, such as by way of creating an actual or perceived conflict of interest.
 - ii. Unless otherwise authorized, to use or permit the use of the Municipality vehicles, equipment, materials or property for purposed other than Municipality business;
 - iii. Care must be exercised in the development of personal relationships or friendships with any group or individual over whom the employee has the direct and exclusive authority to approve of or influence a matter directly concerning them;
 - iv. To knowingly breach the law or any government regulation in the performance of his or her duties or to request others to do so; and
 - v. To intentionally falsify any of the Municipality's records.
- b) **Impartiality** – Every municipal employee must perform his or her duties in an impartial manner.
- No employee shall grant any special consideration, treatment or advantage in matters related to his or her employment to any citizen or business beyond that which is available to any other citizen or business.
- c) **Conflict of Interest** – Every municipal employee shall avoid situations in which the employee has a personal interest sufficient to influence, or appear to influence, the objective exercise of that employee's authority. When an employee is, or believed he/she may be in a position of conflict of interest with regard to the Municipality, the employee should disclose this to their department manager, or in his/her absence, to the Administrator and refrain from exercising his/her authorities relevant to the conflict until duly authorized.

- d) **Use of Municipal Property** – This section regulates the “outside” use of Municipal property by an employee. Without restricting the scope of this principle, the following shall be considered breaches of the Code of Conduct:
- An employee must not use the municipality’s property, equipment, supplies or services for activities not associated with the discharge of official duties unless authorized by supervisor or council.
- e) **Outside Employment or Activities** – Every municipal employee must perform his or her duties to a n acceptable level. Without restricting the Scope of this principle, the following shall be considered breaches of the Code of Conduct:
- Where the outside employment of activity is performed in such a way as to give the impression that the employee is acting in an official municipal capacity or holding himself or herself out as representing an official municipality point of view.
- f) **Financial Transactions** – Every municipal employee must adhere to Municipality bylaws and policies regarding any municipal financial transactions. Without restricting the scope of this principle, the following shall be considered breaches of the Code of Conduct:
- where the employee is in a position where he/she could derive any direct or indirect benefits or interest from any municipal contract or business on which the employee can influence decisions; and
 - To by surplus municipal property where the employee can influence decision with respect to the disposal arrangements. This restriction is not intended to prohibit any employee from obtaining surplus municipal property which is offered for sale by public tender. Disposal of municipal property, assets or services shall be in compliance with the Municipality purchasing bylaw or municipal policies. At no time shall this benefit any individual employee or group of employees.
- g) **Political Activity** – Municipal employees are to be allowed as great a measure of political rights as can be reconciled with the need to ensure the fact and appearance of impartiality in the performance of their duties with the Municipality. The point at which an appropriate balance can be struck in any particular case depends primarily on the nature and level of the employees responsibilities. Without restricting the scope of this principle, the following shall be considered breaches of the Code of Conduct:
- To use the authority of influence of his/her position with the Municipality on behalf of a political party or candidate.
 - to engage during working hours in any activity for or against any candidate.
 - when seeking election to the Municipality, an employee shall adhere to the requirements of the Statues of Saskatchewan.

B. COUNCIL:

- a) Shall, investigate/ review reports concerning employees ethical conduct;
- b) Conduct investigations into complaints against the Administrator;
- c) Fully inform newly appointed employees of the ethical standards they are expected to observe;
- d) Keep employees informed on an ongoing basis of the Municipalities policy on ethical behavior; and
- e) Prior to the making of an appointment to a position, request a disclosure of actual or potential conflicts of interest which would be brought about by that person's employment in that position.

VII. PROCEDURES:

Disclosure:

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.

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 in detail the conflict or potential conflict in writing, to:

- his or her direct supervisor, in the case of any employee; or
 - the supervisor must immediately advise the Administrator.
- council or the Personnel Committee in the case of the Administrator.

Once conflict or potential conflict is declared and with justifiable reasoning, the employee may withdraw from participation respecting the matter where the conflict or potential conflict exists.

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

Compliant:

Where a complaint is made, the matter will be treated seriously and in confidence.

A copy or summary of any written or oral complaint received is to be sent the employee complained against with a request to provide a response.

The employer shall investigate all complaints or inquiries concerning the conduct of a municipal employee.

The employer shall summarize the findings of the investigation in written form and forward to the employee complained against, his findings on the appropriate course of action to be taken.

Once conflict or potential conflict is declared and with justifiable reasoning, the employee may withdraw from participation respecting the matter where the conflict or potential conflict exists.

VIII. FAILURE TO DISCLOSE:

If a conflict or potential conflict is identified by The Municipality, municipal employees or other outside parties and it is proven that the employee failed to disclose to the municipality, one or more of the following actions may be taken at the discretion of council:

- disciplinary letter, with a copy to be placed in the employees file;
- employee ethics training;
- short term suspension;
- long term suspension; or
- termination of employment




MAYOR


ADMINISTRATOR

Certified a true copy of Bylaw No. 2-2018
adopted by resolution of Council on the
6th day of September, 2018.


MAYOR


ADMINISTRATOR

