



POLICY NO. 3.13

September 8, 2015

TITLE: CODE OF CONDUCT FOR MUNICIPAL EMPLOYEES

POLICY STATEMENT:

Acceptable behavior of a municipal employee differs from that of employees in the private sector as municipal employees work for a public institution that answers 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 a high level of service within budget constraints, to manage public perceptions, avoid favoritism, protect confidential information, avoid personal gain from the use of position, while protecting the rights of individual municipal employees and residents within the County.

PURPOSE:

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

DEFINITIONS:

County Assets include all property of the County 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 for example, are in conflict with their duties as a municipal employee.

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

Councillors are elected officials of Westlock County Council, as set out in Alberta's Municipal Government Act.

Municipal Employee is a person who is employed by Westlock County. 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.

The County means Westlock County.

The CAO means the Chief Administrative Officer of Westlock County, 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.
- 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 adhere to the County's dress code for municipal employees.
- 1.8** 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.
- 1.9** 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.
- 1.10** Municipal Employees shall Contact one of the following resources for assistance in effectively dealing with conflict: your Supervisor, a Manager or the CAO.
- 1.11** Municipal Employees shall immediately inform a supervisor and the CAO of incidents of threat or violence.

2. WORK TIME AND COUNTY ASSETS:

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

OUTSIDE BUSINESS ACTIVITIES:

- 3.1** Prior to a municipal employee taking on any outside business activities, it is important that that employee notify the CAO of the County, 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 County objectively and impartially?
 - c)** Will their job with the County 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 CAO of such activities within 30 days of this policy coming into force.
- 3.4** Once a municipal employee discloses outside business activities to the CAO in accordance with 3.3, the CAO will determine whether the outside business activity conflicts with the municipal employee's employment with the County.

3.5 If there is a major conflict of interest, the CAO may ask the municipal employee to choose between ceasing that outside business activity and resigning from their job at the County.

4. DEALING WITH RELATIVES:

4.1 Municipal employees shall not issue municipal permits to their family members.

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 County.

4.3 Municipal employees may not hire a member of their family to work for the County.

4.4 If a member of a municipal employee's family wishes to pursue employment with the County, their recruitment will be handled by another municipal employee as per the terms and conditions of the County's Personnel Policy 3.01, section 14 which states:

Employee's immediate family, that is, 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 dependant of the employee.

4.5 Family members who work for the County may not be in a direct reporting relationship.

5. HANDLING OF INFORMATION:

5.1 Municipal employees are privy to a great deal of confidential information about County 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. This includes, but is not limited to, not disclosing information such as:

- Trade secrets of a business that the County deals with.
- Information about labour relations of a business that the County deals with.

- Personal Information about residents, Councilors or fellow employees which includes but is not limited to names, phone numbers, addresses, and email addresses.
- Any information that would harm public safety.
- Any information that would harm the County's relationship with the Province of Alberta or the Federal Government.

6. PUBLIC STATEMENTS:

6.1 The Reeve is the Chief Spokesperson for the County.

6.2 Municipal Employees are to advise the CAO 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 County without expressed permission from the CAO.

6.4 Municipal employees must not disclose confidential information to the public and/or media, as stipulated in Alberta's *Freedom of Information and Protection of Privacy Act*.

6.5 Municipal employees must not say anything to the public and/or media nor post anything on social media since that would place the County in a negative light.

6.6 Municipal employees must not make negative statements about policy to the media nor post statements about policy on any social media.

7. APPEARING BEFORE COUNTY COUNCIL:

7.1 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.

7.2 Municipal employees who wish to appear before Council to speak as residents must consult with the CAO 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 County.

8.2 Municipal employees must not accept gifts as this may give the appearance that their services to certain residents and 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 County.

9.3 If a municipal employee solicits donations for a political party, they must not do so on County property, nor during work time, nor shall they represent themselves as a County employee while soliciting donations.

9.4 If a municipal employee wishes to run for political office, they must notify the CAO in writing.

9.5 The CAO will grant municipal employees who wish to run for political office a leave of absence without pay, pursuant to Alberta's *Local Authorities Election Act, Section 22(6)*.

10. CONSEQUENCES OF NON-COMPLIANCE:

10.1. Any breach of this policy will be treated as misconduct.

10.2. The County 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 managers as required.
- Requesting clarification about any potential violation of the Code of Conduct, including conflict of interest, and obtaining approval from their manager as required.
- Disclosing in writing to their manager 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 manager 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 manager or the CAO.

11.3. The Human Resource Department is responsible for:

- Assisting departments and employees in the administration, investigation, interpretation and application of the Code of Conduct.
- Submitting a quarterly report to the CAO, itemizing all reported alleged violations including department follow-up.

11.4. Managers 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 CAO.
- Investigating any routine alleged violations of the Code of Conduct.
- Reporting status and results of investigations to the Human Resource department on a quarterly basis.

11.5. The CAO 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.** No retaliation will be tolerated where reporting of a potential violation of the Code of Conduct is made in good faith.
- 12.3.** 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 manager or the CAO.
- 12.4.** Knowingly submitting a false report will be subject to disciplinary action in accordance with section 18 of County Policy No. 3.01.
- 12.5.** Employees violating the Code of Conduct will be subject to disciplinary action in accordance with section 18 of County Policy No. 3.01. 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 CAO.

13.2. 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.

13.3. The responsibility for implementing this policy lies chiefly with the CAO.

13.4. This code shall come into effect upon endorsement by Council.

MOTION: _____

DATE: _____

Peter Kelly
Chief Administrative Officer