

Code of Conduct

Intent

The Township of Ramara is committed to providing a safe, healthy workplace that promotes a high level of job satisfaction and a respectful work environment. We believe that it is a shared responsibility of all employees to work towards the constant improvement of our workplace. To assist the organization in maintaining an exemplary work environment, we require that all employees of the Township of Ramara conduct themselves in an ethical and professional manner, at all times.

This Code of Conduct defines the minimum standards of conduct and practices with which the Township of Ramara expects you to comply. This includes activities related to dealings with residents, corporations and other organizations which have interactions with our employees.

All employees of the Township of Ramara have a critical role in defining and protecting our most valuable asset—the public trust that our community, stakeholders and colleagues have in us.

Policy Statement

This Code of Conduct (“Code”) is applicable to all Township employees, and is intended to promote a high standard of ethical conduct. All employees are expected to carry out their responsibilities in a manner that is free of bias, conflict of interest or perceived conflict of interest.

All Township employees hold positions of trust within the community. Employees must strive to serve the public and Council, to the best of his or her abilities and to always place the public good above personal gain.

The Code has been developed and is made available to every employee for the purpose of guiding behaviour and to eliminate situations where an employee’s actions might inadvertently tarnish the reputation of the Township and/or the employee.

We live in a dynamic environment. We as leaders expect our employees to make decisions and act in the best interests of the municipality. This policy is meant as a guiding document, one which explains why our behaviour is important. If there is ever doubt as to an acceptable behaviour....just ask for advice.

Definitions

Conflict of Interest: An actual, or potential conflict between an employee's personal interests, and the employee's duties, obligations and responsibilities. Includes situations that may affect the employee's abilities to act impartially in performing their duties as a Township employee where the employee benefits or has the potential for private gain, including monetary and non-monetary gain ("gain"), from their conduct, even if the Township is not adversely affected by the conduct. A conflict may also occur when the private interest benefits or may benefit an employee's family, or organizations in which the employee or their family have a financial interest.

Perceived Conflict of Interest: A reasonable person would consider a situation likely to compromise an employee's impartiality in the performance of the employee's duties, obligations or responsibilities. Whereas the circumstances are reasonably believed to create a risk that a decision *may* be unduly influenced by the employee's personal or private or other interests, and not on whether a particular individual is actually influenced by those interests or actually obtains a personal gain or benefit.

Guidelines

To preserve the core values and operational principles that our organization is founded upon, we have compiled a list of unacceptable behavioural actions that have been classified as either:

- a) Hazardous to employee safety;
- b) Criminal;
- c) A negative influence on workplace morale; or
- d) Detrimental to the success of our business.

The examples provided in this Code are not intended to be exhaustive nor to cover all employee activities. They are provided as examples for the purpose of ensuring that the intent is clear as it pertains to the Township's commitment to the maintenance of high standards of conduct and the behaviour expected from employees in all circumstances.

1. Business Relationships

Employees shall not engage in outside work, business, or other types of activities of financial consequence that would:

- a) interfere with or influence their judgment to impartially discharge their duties as a Township employee; or
- b) create or provide a personal or private advantage because of employment with the Township.

Employees shall not put themselves in any situation in which they may obtain personal gain, benefit directly or indirectly from any contract with the Township or other Township business where the employee can influence decisions or affect the outcome.

Employees shall not, by virtue of their position with the Township, use information for personal or private gain or for the gain of relatives, or any person or corporation having dealings with the Township.

2. Personal Interests and Family Relationships

A potential for conflict of interest exists where an employee or the employee's family member or organization in which the employee or the employee's family member has a financial stake, has an interest in a property matter, a business dealing, or other matter that is before the Township or Council for consideration or disposition.

For the purpose of this policy, "family members" of employees include:

- **Family** – for the purpose of this policy, family includes an employee's child, parent or spouse. These terms are more specifically described below:
- **Child** – child born within or outside marriage, and includes an adopted child, and a person who a parent has demonstrated a settled intention to treat as a child of his/her family, whether or not that person is the natural child of the parent.
- **Parent** – a person who has demonstrated a settled intention to treat a child as a member of his/her family, whether or not that person is the natural parent of the child.
- **Spouse** - a person to whom the person is married, or with whom the person is living outside marriage in a conjugal relationship, if the two persons, have cohabited for at least one year, are together the parents of child, or have together entered into a cohabitation agreement under section 53 of the *Family Law Act*.

3. Fraud or Theft

Any act of fraud or theft is deemed a violation of the Code. In general, employee fraud is an act committed which, through deceit, falsehood or other behaviour, deprives the Township of its assets, property or other resources (this includes theft), or causes the Township to act to its own detriment or prejudice.

Employee fraud may include, but is not limited to, acts committed with the intent to deceive, involving either misappropriation of Township assets, property or other resources or misrepresentation of financial or other information to conceal such misappropriation, by such means as:

- Manipulation, falsification or alteration of records or documents

- Suppression of information, transactions or documents
- Recording of transactions without substance
- Misapplication of accounting principles
- Administering transactions contrary to approved policies
- Proprietary of information, products and systems
- Time theft

All employees are required to work in accordance within the Township's controls established to prevent fraudulent misconduct and all applicable laws, regulations and government guidelines. All employees shall exercise honesty, integrity, objectivity and diligence and shall not knowingly be a party to any fraudulent activity, including theft. Subject to the information or knowledge obtained, every employee is required to report any knowledge or suspicion of fraud to either their Director or the Manager of Human Resources/ H&S.

All Township leaders are responsible for ensuring that adequate internal controls are in place to prevent and detect fraud. Management is accountable for monitoring workplace activity and ensuring all employees are aware of, and in compliance with, controls, policies and procedures.

All suspected incidents of fraud or theft committed against the Township will be viewed as acts of criminal activity and the consequences arising out of investigations respecting such behaviour will be responded to in a manner commensurate with the investigation's findings.

4. Use of Township Property

Reasonable personal use, in line with the intent/spirit of all Township policies/procedures, may be permitted with prior Chief Administrative Officer or designate approval. Usage must be appropriate and may not violate any municipal policies or provincial/federal laws. Personal use is not deemed as private use and the Township retains the right to review personal usage on Township owned equipment to ensure compliance with Township policy and reasonability expectations.

However, unless expressly authorized through an employment agreement; by Council; or under circumstances determined by the Chief Administrative Officer or designate, employees shall not use the Township's tools/fleet (and related items), supplies, or services for activities not associated with the discharge of official duties.

Employees who have use, care or custody of Township property shall safeguard such property and ensure that it is properly used, maintained and secured. This includes the appropriate use of password protection (as applicable).

Employees may be held personally responsible for loss or damage if, Township property under their care or custody has been used, maintained or secured in a negligent or abusive manner.

5. Gifts, Benefits and Solicitation

The public's perception respecting the integrity of the Township and its employees is of great importance. Employees are expected to make decisions on behalf of the Township based on impartial and objective assessment of information, free from any influence of gifts.

For the purposes of this provision, any gift provided to an employee, an employee's child, parent or spouse, with the employee's knowledge, shall be deemed to be a gift accepted by that employee.

In this section "gift" includes any cash or monetary equivalent, fee, object of value, service, forbearance, preferential treatment or personal benefit, received from a third party.

Employees may only accept gifts as provided below:

- a) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibilities of employment (value can be no greater than \$50.00 including tax);
- b) token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service on a committee, for speaking at an event, or representing the Township at an event (value can be no greater than \$50.00 including tax);
- c) gifts of admission to dinner, charity fundraisers, banquets, receptions, ceremonies, cultural events, sporting events, business, galas, political events, and similar events, if the employee's attendance serves a legitimate municipal purpose and if attendance at such events is approved in advance by the employee's Director. (value can be no greater than \$100.00 including tax).

Employees may not accept reoccurring gifts from the same source in excess of a total annual value of \$100.00 (based on calendar year). For clarity, employees cannot accept more than two (2) gifts per calendar year from one source if said gifts were valued at \$50.00 each).

In the event an employee is offered a gift that has a legitimate business purpose valued greater than \$50.00 (or the calendar year total of \$100.00 for reoccurrence), the employee may request approval from the Chief Administrative Officer or their Director to accept said gift(s). Gifts received by the CAO outside of the above guidelines must be approved by the Mayor.

No employee may accept a gift from any person or organization engaged in a tendering process that is in a "blackout" period. Employees must also consider the activities that are taking place prior to accepting a gift. This includes, but is not limited to, considering if the provision of a gift is part of an organized effort to influence, manipulate, persuade, induce, sway or affect an employee in their ability to recommend the passing of a bylaw,

develop a policy or procedure, determine expenditures or appropriate or award contracts. In the event that an employee is offered a gift and feels it may fall into said category, the employee must report the matter to their Director or the CAO immediately.

If an employee does receive a gift greater than the above set value, the gift can be accepted only if it is something that can be shared with the rest of staff within the municipality. Often, it may come across as rude to turn away a gift, by sharing the gift with the rest of staff this eliminates the idea of receiving a gift as a personal gain.

6. Confidential Information and Preservation of Records

Employees have a duty not to disclose or release either verbally or in written form, any confidential information or material acquired by virtue of their position with the Township unless obligated or compelled to do so through the Municipal Freedom of Information and Protection of Personal Privacy Act ("MFIPPA") or other provincial or federal Legislation, or as a result of a Police Investigation or through some other formal inquiry or a court proceeding.

Confidential information includes but is not limited to, personal matters about an identifiable individual, including any employee of the Township; a proposed or pending acquisition or disposition of land for Township purposes; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the Township; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; or a matter in respect of which Council may hold a closed meeting or any Township information that is not known to the public.

No employee shall use information gained in the execution of his or her position that is not available to the general public, for any purpose other than his or her official duties.

In the event an employee receives an inquiry for disclosure of information under MFIPPA or other provincial or federal legislation, the request should be referred to the Clerks Department who will review the request and determine whether the Township is obligated to disclose the information.

Employees also have a duty not to use any confidential information or material acquired by virtue of their position with the Township for any purpose other than the discharge of their duties.

All personnel matters and files of any employee or former employee of the Township will be kept in strictest confidence within the Human Resources Department and knowledge of its contents will be available only to those with appropriate authorization.

MFIPPA places strict obligations on the Township to preserve documents and records.

Employees must comply with any measures that the Township may adopt with respect to the preservation and security of documents, which may include (but are not limited to):

- Ensuring that records are stored and filed in designated places (for paper records) or drives and directories (for electronic documents) so that they can be easily found;
- Ensuring that records are not deleted, destroyed, thrown out or shredded without authorization;
- Maintaining sensitive documents in locked filing cabinets or secure areas;
- Restricting access to documents to those with appropriate authorization, in which case no employee shall attempt to access those documents without authorization or disclose the documents to a person without authorization;
- Using password-protection or encryption on electronic documents and devices.

Employees' obligations with respect to the Township's confidential information continue after their employment with the Township ends, regardless of the reason for the employment ending. When employment ends, employees must return all Township materials, property and confidential information to the Township, without keeping any copies either physical or electronic. Staff should be aware that all emails remain the property of the Township of Ramara and will be used in the continuance of Township business.

If an employee is uncertain whether a particular document or piece of information is confidential, they should ask their Director.

7. Permitted Political Activity

Political activity, for the purpose of this policy, includes but is not limited to:

- Volunteering or fundraising for a candidate or a political party;
- Supporting or opposing a candidate or a political party by displaying political material such as a picture, sticker, badge or button, or placing a sign on the lawn;
- Attending events, meetings, conventions, rallies, or other political gatherings in support of, or in opposition to, a candidate or a political party;
- Developing promotional material such as writing campaign speeches, slogans and pamphlets for a candidate or a political party;
- Using blogs, social networking sites, a personal Web site or video sharing to express personal views in support of, or in opposition to, a candidate or a political party.

Employees may engage in political activity in federal, provincial and municipal elections (not including Ramara municipal elections). However they are responsible for ensuring that engaging in such activities does not impair, nor is perceived as impairing, their ability to perform their duties for the Township in a politically impartial manner.

To make an informed decision as to whether to engage in a political activity and whether there is a potential it will impair or be perceived as impairing their impartiality, employees should consider the nature and extent of the activity, the nature of the employee's duty and level of responsibility within the Township, and their degree of personal visibility within the community. If an employee is uncertain about whether a certain political activity is appropriate, this should be discussed with his or her Director or the Township's Legislative Services Department.

In all cases, employees must:

- Comply with all provincial and federal legislation;
- Ensure that participation in Provincial and Federal political campaigns do not interfere with the performance of their duties, or create a conflict with the Township's interests;
- **Not** be involved in any campaign or political activity during paid working hours, or at any time in the workplace; and
- **Not** provide endorsements of any candidate(s) for any elected or appointed office based upon the employee's position with the Township.

8. Media Relations

The media is an important vehicle for communicating the Township's position on municipal services and programs. All employees are expected to comply with this policy, and employees are not to speak with the media unless authorized to do so.

Objective information related to policies or decisions adopted by Council should be transmitted formally by the Mayor or his/her designate. However, on occasion it will be necessary for clarification and service delivery information that Members of the Administration will be required to communicate with the media. The Chief Administrative Officer, Senior Leadership Team, and Communications Department will be tasked with the responsibility of communicating with the media on issues arising out of the normal course of business specific to their areas of responsibility. Other members of the administration may be requested by the Chief Administrative Officer, Management, or the Communications Department to speak to the media to provide clarification or specific details related to the delivery of a municipal service or program.

If an employee who is not authorized to speak with the media about the matter in question receives a request for comment, he or she must not comment. Instead, the inquiry shall be referred to their Director and Communications Department.

Media communication shall be conducted in a manner that is professional, factual and

non-confrontational. Under no circumstances shall an employee put forth speculative, subjective or personal insights or comments on any policies or decisions on behalf of the Township. As appropriate, media training will be provided by the Township for members of the Administration that may be called upon within the scope of their responsibilities to deal directly with the media. As a general rule, staff should only speak to what they know and refer any further questions to his/her director or the Chief Administrative Officer.

9. Employment of Relatives

The Township, as a public organization, encourages employment opportunities to be available to all persons on the basis of applicable qualifications and skills. With this goal in mind, the Township does permit family members to work within the Corporation subject to the following:

Family members shall not be allowed to work in a direct reporting relationship to another family member.

Direct Reporting Relationship – a relationship in which one employee has authority to do the following with respect to the other (the subordinate):

- approve or deny increments, overtime or negotiate salary levels;
- conduct performance appraisals;
- administer discipline; or
- direct work assignments

All new employees, at the time an employment offer is made, will be required to disclose any family members working for the Township. The employment offer will be conditional on the prospective employee complying with the policy.

All existing employees must inform the Human Resources Department immediately of any change in their personal or job related status that may be affected by the policy.

Note: Definitions of Family Relationships is outlined in section 2. a) of this policy.

10. Integrity Commissioner

The Ontario Ombudsman has the power to investigate any decision or recommendation made or act done or omitted in the course of the Township's administration. If the Township appoints an Integrity Commissioner, that person will have the power to investigate such decisions, recommendations, acts or omissions instead of the Ontario Ombudsman.

The availability of the Integrity Commissioner is an important measure to ensure transparency and accountability in local government. Therefore, employees are required

to cooperate with any investigation by the Integrity Commissioner. The Integrity Commissioner has the power to require Township employees to give him or her information and produce documents relevant to the investigation, and to examine individuals under oath. Employees are required to cooperate with such requests.

Information or documents should not be provided to the Integrity Commissioner if they are subject to a legal privilege (for example, communications between the Township and its legal representatives, or where disclosure would be prohibited under applicable freedom of information legislation). An employee who suspects that a privilege may apply should consult with his or her Director.

Avoiding and Withdrawing from Conflicts of Interest

Township employees must avoid or withdraw from activities that would place the employee in real, potential or perceived conflict of interest with his or her official duties.

Whenever an employee suspects he or she may have a situation that does not meet the standards specified in the Code, the employee should immediately disclose the matter in writing to their Director, with a copy to the Manager of Human Resources/H&S. In the event that the Chief Administrative Officer has or suspects that he/she may have a conflict they will be required to disclose the matter in writing to the Mayor with a copy to the Manager of Human Resources. In the event that the Manager of Human Resources has or suspects that he/she may have a conflict they will be required to disclose the matter in writing to the Chief Administrative Officer.

Any employee who is uncertain whether a situation amounts to an actual, potential or perceived conflict of interest should discuss it with his or her Director as soon as possible.

A violation of this policy is subject to the Corrective Actions Policy and may result in discipline up to and including termination of employment.

CONCLUDING STATEMENTS

This Code is made available to every employee as a guide to help them take appropriate action to avoid and eliminate situations where an employee's actions might inadvertently tarnish their own and the Township's reputation. As issues and questions arise, employees are encouraged to seek guidance from their Supervisor, Director or the Manager of Human Resources/H&S. Employees are expected to adhere to the highest standard of personal and professional integrity, and abide by the Code at all times.

A violation of this policy is subject to the Corrective Actions Policy and may result in discipline up to and including termination of employment.

Every employee must acknowledge receipt, understanding and adherence to the Code. Failure to comply with the Code may result in extensive corrective action, including discipline and/or discharge.