



EMPLOYEE CODE OF CONDUCT FOR THE TOWN OF CARLETON PLACE

a) General Statement

The purpose of the Code of Conduct for Employees is to foster a Municipal-wide understanding of the rights, privileges and obligations of a Municipal Public Servant. The code is established on the principle that Municipal staff hold positions of privilege and that public interests will be placed above the interests of the individual. Finally the Code of Conduct is intended to recognize that a Municipal Employee is entitled to the same basic rights and freedoms afforded all Citizens. The standards detailed in this Policy apply to all Municipal Staff. They are intended to ensure that all Employees are aware of their rights as an employee, the standards of behaviour they are expected to adhere to, and the possible results of failing to meet these standards.

It is the role of officers and employees of the municipality, a) to implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions; b) to undertake research and provide advice to Council on the policies and programs of the municipality; and c) to carry out other duties required under this and any other Act and other duties assigned by the municipality.

b) Discrimination/Harassment in the Workplace

- i) Section 5 (1) of the Ontario Human Rights Code specifies that "every person has a right to equal treatment with respect to employment without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability".
- ii) Section 5 (2) of the Ontario Human Rights Code dictates that "every person who is an employee has a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offences, marital status, family status or disability".
- iii) Harassment, as defined by the Ontario Human Rights Code is engaging in a course of vexatious (annoying or distressing) comment or conduct that is known or ought reasonably to be known to be unwelcome.
- iv) Sexual harassment, which may be experienced by both men and women includes, but is not limited to, the following:
 - a) Any deliberate and unsolicited sexual comment, suggestion, physical

- contact, sexual advance or solicitation that creates an uncomfortable working environment for the recipient and is made by a person who knows or ought to reasonably know that such action is unwelcome.
- b) A reprisal or threat of reprisal for the rejection of a sexual solicitation or advance where the reprisal is made or threatened by a person in a position to confer, grant or deny a benefit or advancement to the person.
 - c) Unwelcome remarks, jokes, sexual innuendoes, or taunting about a person's body, attire, sex, person or social life.
 - d) Practical jokes of a sexual nature, which cause awkwardness or embarrassment.
 - e) Displaying and/or distributing pornographic pictures or other offensive material of a sexual nature, either by printed copy or personal computer.
- v) Anyone who experiences or believes they are being subjected to discrimination or harassment or violence in the workplace should:
- a) Inform the offending party or parties that they object to the conduct.
 - b) If the objectionable conduct does not cease, inform your Supervisor of the situation who will investigate the matter promptly.
 - c) If the Supervisor's intervention does not resolve the situation, inform the Chief Administrative Officer of the situation.
 - d) If the Chief Administrative Officer's intervention does not resolve the situation, inform Council.
 - e) Employees who do not feel their concerns have been properly addressed by the municipality can appeal to the Ontario Human Rights Commission.

c) **Employee Work Ethic**

Employees will carry out the duties assigned by their supervisor in the most efficient manner possible, giving due regard to all health and safety policies and practices. To assure orderly operations and provide the best possible work environment, the employer expects employees to follow rules of conduct that will protect the interests and safety of all employees and the employer. It is not possible to list all the forms of behaviour that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment:

- Theft or inappropriate removal or possession of property
- Negligence or improper conduct leading to damage of employer-owned property
- Possession of dangerous or unauthorized materials in the workplace
- Excessive absenteeism or any absence without notice
- Unauthorized disclosure of business "secrets" or confidential information.

Cell Phone Use:

1. Purpose: The purpose of this policy is to limit the use of cell phones and other communication devices at work to protect the employee and ensure a productive work place. Inappropriate use of communication devices at work can cause injuries because it's distracting and may interfere with the proper and safe use of equipment and machinery. Devices and headphones or wireless ear pieces may also get tangled in machinery or interfere with the proper use of personal protective equipment.
2. Devices Covered: The devices covered by this policy include cell phones, Blackberries, mobile phones, text pagers, two-way radios and other wireless devices, whether owned by the Town or the individual employee (collectively referred to as "Devices").
3. Persons Covered: This policy applies to all Town staff including temporary workers working at the Town's facilities.
4. Activities Covered: The rules set out in this policy apply to all work-related activities, including but not limited to driving to conduct job-related activities, whether such vehicles are owned by the Town or the employee. The policy applies to all conversations, whether personal or business-related.
5. Prohibited Uses:
 - a) General-While in the workplace during work hours, employees are expected to focus on work and may not inappropriately use any Device in the workplace for any inappropriate purposes, including but not limited to:
 - Engaging in personal conversation
 - Playing games
 - Surfing the internet
 - Checking personal email, and
 - Sending or receiving personal text messages.
 - b) Driving-While operating a vehicle, employees must comply with provincial laws.
6. Permitted Uses: Employees may use Devices for personal use while on lunch or scheduled break time.
7. Violations: Employees who violate this policy will be subject to disciplinary measures up to and including dismissal, depending on the severity of the circumstances.
8. Specific Policies – The above outlines general policies. Each department may introduce additional specific policies related to their department as required.

All cases of a breach of proper conduct will be thoroughly investigated with the employee given every opportunity to explain the reasons for the specific conduct.

d) **Alcohol or Banned Substance Use**

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illicit drug or alcohol while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by the employer. Possessing, distributing, transferring, purchasing, selling, using, or being under the influence of alcoholic beverages or illegal drugs while on the employer's property, while attending business-related activities, while on duty, or while operating a vehicle or equipment owned or leased by the employer may also lead to disciplinary action, including suspension without pay or discharge. Physician-prescribed medications are permitted, provided they do not adversely affect job performance or the safety of the employee or other individuals in the workplace. The employer recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Please contact your supervisor for more information about the benefits potentially available under the employee medical benefit plans and any possible referral sources. Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the employee abstains from use of the problem substance while on leave, abides by all organization policies, rules, and prohibitions related to conduct in the workplace, and if the organization suffers no "undue hardship" as a consequence of granting the leave.

e) **Political Activity and Involvement**

In accordance with Section 30 (1) of the Municipal Elections Act, employees are prohibited from being a candidate for or to be elected as a member of the council that is their employer unless they take an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day. Section 30 (4) of the Municipal Elections Act stipulates that an employee who is elected to the office shall be deemed to have resigned from the employment immediately before making the declaration of office referred to in subsection 232 (1) of the Municipal Act.

f) **Personal Use of Municipal Property/Equipment**

Under no circumstances will employees be permitted to use Corporation equipment or materials in the course of performing work not related to the activities of the Town.

No Employee shall make financial gain from the use or sale of Town property, Town developed computer programs, technological innovations or other patentable items, either while in the employ of the Town, or thereafter. All such property is and shall remain the exclusive property of the Town of Carleton Place.

Employees may be required to reimburse the employer for any charges resulting from their personal use of the telephone. To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

Staff are encourage to utilize the computer equipment to improve their technical skills,

streamline their duties and research issues where required. The municipality does not allow use of the equipment for personal uses excepting for personal research performed when on a recognized break (lunch, work break).

While the Town of Carleton Place expects all employees to use its email/network system for official business use and reserves the right to access, use and disclose all messages sent over its email system for any purposes – business or personal. We may inspect the contents of email messages disclosed by such monitoring or any follow up investigation, if it serves an organizational purpose.

Employees are subject to discipline, which may include termination, if they:

- “snoop” in other people’s messages or files;
- Send harassing, discriminatory or pornographic messages;
- Leak confidential information; or
- Otherwise violate this policy on email/internet usage.

Much of the data on the internet presents risks to the municipality such as viruses, breaches of copyright and reliance on outdated or inaccurate information. Therefore, the following guidelines apply to all employees using the internet:

1. Do not open emails from internet contacts you do not know, or open suspicious attachments;
2. Follow all terms and conditions of software licenses and copyright laws when collecting or using information from the internet;
3. Do not download software from the internet unless authorized by your Supervisor or C.A.O.;
4. Screen all software downloaded from the internet with virus detection software prior to use. This should be done on stand-alone, no-production machines;
5. Any contribution to pirate software bulletin boards and similar activities represents a conflict of interest with the municipalities work and is therefore prohibited;
6. You are only permitted to indicate your affiliation with the Town of Carleton Place in internet newsgroups, bulletin boards discussions, chat sessions and other offerings when the message is sent for the Town of Carleton Place business purposes;
7. Use of the municipality’s internet resources for personal purposes, playing games or participating in other activities not related to your job function is not permitted on municipal time;
8. As a benefit, you may be provided with access to email and internet for personal

purposes. This should occur on personal time.

All messages sent over the municipality's internal networks and computers are municipal records. At any time and without prior notice, Management reserves the right to examine and analyze email, personal file directories, and internet access logs and other information stored on municipal computers. You should have no expectation of privacy associated with the information they store in or send through these systems, whether encrypted or not. The Town of Carleton Place maintains the authority to review internet usage logs, to act upon inappropriate usage of municipal computer and network assets, and restrict access to resources at various times.

Violations of this section on internet and email usage are considered grounds for disciplinary action up to and including termination.

g) Gifts, Hospitality and Other Benefits

The objective of these policies is to ensure that Staff makes decisions based on impartial and objective assessment of each situation, free from influence of gifts, favours, hospitality or entertainment.

In this policy, gifts, commission, hospitality, reward, advantage or benefit of any kind, may be interchanged and shall be deemed to include all of the aforementioned.

1. The remuneration paid to each staff is intended to fully remunerate staff for service to the Corporation.
2. Staff are prohibited from soliciting, accepting, offering or agreeing to accept any gifts, commission, hospitality, reward, advantage or benefit of any kind, personally or through a family member or business connection, that is connected directly or indirectly with the performance of duties of office or could reasonably be construed as being given in anticipation of future, or recognition of past, "special consideration".

Staff is prohibited from accepting, directly or indirectly, any gifts, hospitality or other benefits that are offered by persons, groups or organizations having dealings with the Town.

3. The above policy does not preclude Staff from accepting: i) Token gifts, souvenirs, mementoes or hospitality received in recognition for service on a committee, for speaking at an event or for representing the Corporation at an event; ii) Political contributions that are otherwise offered, accepted and reported in accordance with applicable law. iii) Food and beverages at meetings, banquets, receptions, ceremonies or similar events. iv) Food, lodging, transportation, entertainment provided by other levels of governments, by other local governments or by local government boards or commissions; v) Reimbursement of reasonable expenses incurred in the performance of office; vi) Reimbursement of reasonable expenses incurred and honorariums received in the performance of activities connected with municipal associations; vii) Gifts of a nominal value that are received as an incident of protocol or social obligation including attending a sporting event that normally and reasonably accompany the responsibility of the office. viii) Services provided without compensation by persons volunteering their time for election campaign.

4. Where it is not possible to decline unauthorized gifts, hospitality or other benefit, Staff shall report the matter to the Clerk. The Clerk may require that the gift be retained by the Corporation or be disposed of for charitable purposes.

5. Staff shall not place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment. (From the Council Code of Conduct)

h) **Confidentiality**

1. Staff shall keep confidential any information:

(a) Disclosed or discussed at a meeting of Council, Committee of the Whole or Standing Committee, or part of a meeting of Council, Committee of the Whole or Standing Committee, that was closed to the public.

(b) that is circulated to members of Council that is marked confidential.
Any documentation marked confidential shall be kept securely until no longer required in the course of business and shall at that time be destroyed by the member of Council or returned to the office of the Clerk for destruction.

(c) that is received in confidence verbally in preparation of the in-camera meeting.

2. The obligation to keep information confidential applies even if the member ceases to be a member of Staff.

3. Protection of Privacy (Confidential Information)

Confidential information includes information in the possession of, or received in confidence by the Municipality that the Municipality is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (often referred to as "MFIPPA"), of other legislation. Generally, the Municipal Freedom of Information and Protection of Privacy Act restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

No member of staff shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.

Nor shall staff use confidential information for personal or private gain, or for the gain of relatives or any person or corporation. As one example, no staff should directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of Municipal property or assets.

A matter that has been discussed at an in-camera (closed) meeting remains confidential.

No staff shall disclose the content of any such matter, or the substance of deliberations, of the in-camera meeting until the Council or committee discusses the information at a meeting that is open to the public or releases the information to the public.

The following are examples of the types of information that staff must keep confidential:

- a. Items under litigation, negotiation, or personnel matters; Information that infringes on the rights of others (e.g., sources of complaints where the identity of a complainant is given in confident);
- b. Price schedules in contract tender or Request for Proposal submissions if so specified;
- c. Information deemed to be “personal information” under the Municipal Conflict of Interest Act; and
- d. Statistical data required by law not to be released (e.g., certain census or assessment date).

Staff should not access or attempt to gain access to confidential information in the custody of the Municipality unless it is necessary for the performance of their duties and not prohibited by Council policy.

i) **Conflict of Interest**

An Employee will be considered to have a Conflict of Interest, where they, or a relative, have a direct or indirect financial interest in a contract or proposed business dealing or property matter with the Town, and where the Employee could influence the Town’s decision with respect to that issue. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

If a potential conflict exists, the Employee must advise their Supervisor of the situation, in writing and the Supervisor will then make appropriate alternative arrangements to handle the matter. Supervisors may, at their discretion, decide that the potential for conflict is not significant enough to prevent an Employee’s continued involvement in the matter.

Employees shall not sell goods, materials, or services to the Town. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Corporation does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Corporation. An exception may be made, with approval of the Supervisor, to secure services from an Employee outside of regular hours of employment on a fee for service basis, provided the opportunity is made available on an equal basis to other persons and the amount of the payment for such services is reasonable and modest. All such dealings must abide by the Town’s Procurement Policy.

j) **Other Business Dealings and Secondary Employment**

Employees should not engage in private employment, or employment with another organization, or render services for any person or Corporation that has or may have business dealings with the Town. Where such becomes the case, the Employee's Supervisor must be informed and the Supervisor can, at their discretion, allow the Employee to continue with the activities or prohibit any further involvement. Such decision by the Supervisor will be based on the potential for Conflict of Interest.

Employees shall not engage in business dealings, or employment with any other organization, that interferes with performance of their duties, or from which they derive personal gain by virtue of their employment with the Town.

“Any outside employment with other neighbouring local governments by senior staff is to be reported to the Corporate Services Committee of Council. Employees should be aware that Council would generally discourage employees from working for neighbouring local governments in a capacity similar to their position with the Town unless special circumstances exist.”

k) **Media Relations**

Only staff authorized by the Chief Administrative Officer or their designate should comment to the media on policy matters. Relations with the media shall be conducted in keeping with the Town's commitment to open Government and serving an informed Public. Only factual and objective information related to policies adopted by Council shall be transmitted. Employees should refrain from putting forth speculative or subjective insights.

l) **Interpersonal Behaviour of Staff**

a) Treat Every Person with Dignity, Understanding and Respect

Members of Staff shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other Members of Council, corporate employees, individuals providing services on a contract for service, students or placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

b) Not to Discriminate

In accordance with the Human Rights Code, Members of Staff shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, religious affiliation or faith, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability. “Age”, “disability”, “family status”, “record of offences”, “same sex partnership status” shall be as defined in the Human Rights Code.

c) Not to Engage in Harassment or Bullying (Psychological Harassment)

In accordance with the Town of Carleton Place's Human Resources Policy as amended and Human Rights Code, harassment shall mean engaging in a course of vexatious comment or conduct that is known, or ought to be known, to be unwelcome. Bullying is the ongoing health-or career-endangering mistreatment of an employee or colleague, by one or more of their peers or higher-ups. Unlikely to involve physical violence, it usually takes the form of psychological abuse. Often verbal and strategic insults are intended to prevent targets from being successful in their job. Pressuring an employee to deviate from a policy or to provide a favour is a form of bullying.

m) **Enforcement of Code of Conduct**

It is the responsibility of Supervisors to ensure that employees under their supervision are aware of the Code of Conduct and that the Code is observed by all employees. An Employee who is of the opinion that another Employee has breached the Code should bring this information to the attention of their Supervisor as soon as possible. Where employees have reason to believe that a Supervisor is committing a serious breach of the Code, they may approach the Chief Administrative Officer, and should they feel the issue was not properly addressed may report the issue to the Mayor or Council directly.

Observance of the Code of Conduct constitutes a condition of employment and breaches of the Code will provide grounds for progressive disciplinary action; including in a serious case, dismissal.

I have read & understood the Code of Conduct for the Town of Carleton Place.

Employee

Date