

Town of Birch Hills
Municipal Employee Code of Conduct
Policy no. 1/22

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.

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.

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. Confidential information means 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.

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:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

Additional types of conduct include:

- acceptance of gifts;
- use of municipal property and assets;
- political and community activities;
- employment of family and person friends or acquaintances; or
- outside work or business activities

USE OF INFLUENCE:

The municipality strives to ensure fairness and objectivity in its decision-making process.

Without restricting the scope of this principle, it is considered a breach of Code of Conduct for an employee to use his or her position to seek to influence a decision of another person or as to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

PROCEDURES:

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 provision of the Code, the employee must disclose 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.

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

Where a disclosure is made, the matter will be treated seriously and in confidence. The supervisor must review the disclosure within five (5) business days, from the date the disclosure is made, and determine an appropriate course of action to address the actual or potential conflict.

Corrective measures to address actual or potential conflicts of interest include:

- review by Administrator/Council/Personnel Committee;
 - employee to disclose specifics of conflict of interest;
 - employee to withdraw from participation respecting the matter where the conflict or potential conflict exists;
 - action to be taken by the municipality if an employee fails to disclose a conflict or potential conflict, such as:
 - disciplinary letter, copy to be placed in the employee's file;
 - employee training (ethics);
 - short-term suspension;
 - long-term suspension; or
 - termination – consult with solicitor.
-

Excerpt of the Legislation

Section 111.1 of *The Municipalities Act* sets out the minimum content for a municipality's Employee Code of Conduct.

Employee code of conduct

- (1) A council shall cause to be established and made publicly available a code of conduct for employees of the municipality that includes conflict of interest rules.
- (2) The conflict of interest rules must:
 - (a) set out the types of conduct that are prohibited, including rules prohibit and employee from:
 - (i) using information ant is obtained as a result of his or her employment and that is not available to the public to:
 - (A) further, or seek to further, his or her private interests or those of his or her family; or
 - (B) seek to improperly further another person's private interests; or
 - (ii) using his or her position to seek influence a decision of another person so as to:
 - (A) further, or seek to further, his or her private interests or those of his or her family; or
 - (B) seek to improperly further another person's private interests; and
 - (b) specify the procedure an employee is to follow if the employee suspects that he or she may be in conflict of interest and the procedure for resolving a conflict.



Mayor



Administrator

Feb 9/2022

Date

