

# Village of Port Clements

## Code of Conduct

### Policy No. 15, 2018

Prepared by Chief Administrative Officer Kim Mushynsky

Amended by Chief Administrative Officer Ruby Decock

Adopted: December 19, 2016 Motion #2016-300

Adopted Amended Policy: April 16, 2018

Last Reviewed:

Next Review:

**Application -- This Policy applies to all members of Council, Committees, Commissions and all employees. Council has also adopted the Respect in the Workplace Policy No. 10**

#### PREAMBLE

The Village of Port Clements believes that the proper operation of the Village requires that its public officials, commission and committee members, contractors and employees:

- be impartial and responsible to the people of the Village;
- be independent of any external influences or pressures;
- should not use their position for personal advantage, in order that the public may have confidence in the integrity of their government.

The Code of Conduct will provide a guideline to employees in specific circumstances; and will promote a high standard of professionalism amongst staff. All public officials, committee members, contractors and employees of the Village will be aware of, and follow in principle, the standards of conduct outlined in this policy. This policy is to set minimum expectations for the behavior in carrying out their duties in a manner that will inspire confidence and trust in the local government and demonstrate respect for the Village, elected members, its residents, and staff.

#### 1. GENERAL RESPONSIBILITIES OF VILLAGE OFFICIALS AND STAFF

Village officials and employees are agents of public purposes and hold office for the benefit of the Citizens of Port Clements. In that regard, they are to uphold and carry out the laws of the Village, as well as applicable federal and provincial statutes, so as to foster and enhance respect for government. As public servants, officials and employees are to observe in their official acts a high standard of morality and to discharge faithfully the duties of their office regardless of personal considerations and interests. Their conduct in official Village affairs should be above reproach at all times.

## **2. DEDICATED SERVICE**

- a. All officials and employees of the Village should be loyal to the objectives expressed by the citizens elected representatives, and the programs developed to attain those objectives. Appointed officials and employees should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.
- b. Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full co-operation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

## **3. FAIR AND EQUAL TREATMENT**

Soliciting members of Council, directly or indirectly, in order to obtain preferential consideration in connection with any position in the Village service shall disqualify the candidate for appointment except for those positions filled by appointment of Council.

## **4. USE OF PUBLIC PROPERTY**

No official or employee shall request or permit the use of Village-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as Village policy for the use of such official or employee in the conduct of official business.

## **5. OBLIGATIONS TO CITIZENS**

No official or employee shall grant any special consideration, treatment, or advantage to any citizens beyond that which is available to every other citizen.

## **6. CONFLICT OF INTEREST**

No official or employee, whether paid or unpaid, shall engage in any business or transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in the public interest or would tend to impair their independence of judgement or action in the performance of their official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political association. Specific conflicts of interest are detailed below:

### **a. Incompatible Employment**

No official or employee shall engage in or accept private interest when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair their independence of judgement or action in the performance of their official duties.

### **b. Disclosure of Confidential Information**

No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Village; nor shall they use such information to advance the financial or other private interest of themselves or others.

### **c. Gifts and Favours**

Personal integrity and sound business practices require that relationships with vendors, contractors, or others doing business with the Village, be such that no employee can be accused of showing favouritism or bias towards any vendor.

Consequently, all Village employees are prohibited from accepting gifts or favours from vendors that would tend to influence them in the discharge of their duties. No official or employee shall accept any gift, whether in the form of service, loan or thing or promise, from any person, firm or corporation which, to the officials or employees' knowledge, is interested directly or indirectly in any manner whatsoever with the Village.

### **d. Representing Private Interest before Council or Municipal Agencies**

No official or employee whose salary/wages are paid in whole or in part by the Village, shall appear on behalf of private interests before any agency of the Village.

- I. The official or employee shall not represent private interests in any action or proceeding against the interests of the Village in any litigation to which the Village is a party.
- II. A councillor may appear before Village agencies on behalf of constituents in the course of their duties as a representative of the electorate or in the performance of public or civic obligations. However, no official or employee shall accept a retainer or compensation that is contingent upon a specific action by a Village agency.

### **e. Contracts with the Village**

No official, agent, or employee of the Village shall have any interest in any contract made by them in their official capacity or by any public committee, board, commission or department of which the official/agent/employee is a member; except that an official, agent or employee of the Village may contract with the Village under the following situations:

- I. the official/agent/employee is not authorized by law to participate on behalf of the Village or any agent thereof, in the awarding of the contract,
- II. the contract is made upon a competitive bid process, in writing, publicly invited and publicly opened;
- III. all bids received and all documents pertaining to the award of the contract are held available for public inspection for least three (3) months after the date of such award.

### **f. Negligent Disclosure of Information**

No official, agent, or employee of the Village shall give indiscriminate or negligent disclosure of information, whether to members of the public or fellow employees, which may cause embarrassment to individual employees, betray a trust or confidence, or create false and dangerous impressions, situations, or conditions for the public or employees.

## 7. POLITICAL ACTIVITY

No appointed Village official or Village employee shall use their position on behalf of any political party. No official or employee, whether elected or appointed, shall promise an appointment of any municipal position as a reward for any political activity.

## 8. PERSONAL BUSINESS

No official or employee of the Village shall conduct any personal business or business for outside organizations, during work hours and being paid by the Village.

## 9. DECORUM

- a. Abusive conduct, personal charges or verbal attacks upon the character or motives of other officials or employee shall be refrained from.
- b. Officials are entitled and are expected to contribute their comments on various topics before Council, but they must adhere to the decisions made by Council on those matters. Efforts to circumvent decisions made by Council may result in sanctions being undertaken.
- c. Officials must not criticize the conduct of other officials or staff. It is acceptable to publicly disagree about an issue, but it is not acceptable to make derogatory comments about other officials or employees.

## 10. SANCTIONS

- a. Violation of any provisions of this Code shall raise conscientious questions for the official or employee involved. Violations may constitute a cause for employee suspension, censure, removal from office or employment, or other disciplinary action.

Any reported incidence of violation of these rules will be subject to investigation by the Village CAO, and if necessitated brought before Council.

- b. Sanctions or any disciplinary action shall be decided upon investigation and depending upon the specific circumstances of the case. The application of any sanctions and these rules and standards of conduct are subject to the provisions of applicable collective agreements for union employees, if they exist.
- c. Reference should also be made to acts and statutes governing the Village, and related legislation for reference to standards of conduct and performance.



Mayor



CAO