



## HUMAN RESOURCES POLICIES, GUIDELINES AND PROCEDURES

Policy No. 29 – Employee Code of Conduct

Prepared by: Pat Jennings  
Learning & Development Consultant  
Status: Approved

Approved on : March 14, 2019  
Effective Date: March 14, 2019  
Revision Date: March 14, 2019

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### EMPLOYEE CODE OF CONDUCT

#### PURPOSE:

All Town of Georgina employees are required to comply with this policy and be aware of the policies, procedures, laws and regulations that affect their job. It is recognized that no set of guidelines can address every ethical situation. These guidelines are not intended to be exhaustive. They are intended to assist employees in matters of conduct, to avoid conflict of interest and to serve the public and colleagues in an acceptable and professional manner. Perceptions of others are critical to the reputation of the corporation and an individual employed in public service. The best insurance against loss of public confidence is adherence to the highest standards of professional behaviour.

This policy is consistent with the Town's Values of Integrity, Accountability, Responsibility, Responsiveness, Professionalism and Respect. The Town of Georgina's Mission Statement is "Dedicated to providing exceptional municipal services," which extends to all employees, vendors, customers and the public through both words and actions. We must all work together to promote to a positive culture of tolerance, acceptance and inclusiveness.

#### POLICY STATEMENT:

The Town of Georgina strives to protect all of our employees, vendors, customers and the public from any unethical, illegal or damaging actions committed by employees either knowingly or unknowingly.

#### EMPLOYEE RESPONSIBILITIES:

- Sign a document acknowledging they have read and understand the Code of Conduct, and they agree to comply with its provisions
- Review the policy annually
- Seek clarification from management or Human Resources if uncertain about any information contained in this Policy
- Adhere to the standards of behaviour outlined in this Policy

#### MANAGEMENT RESPONSIBILITIES:

- Promote an environment in which employees demonstrate standards of ethical and professional behaviour
- Take appropriate steps to ensure employees are aware of and act in compliance with this Code of Conduct and related policies
- Demonstrate behaviours that are consistent with the Code of Conduct



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- Support staff members in adherence to the Code of Conduct
- Establish and maintain adequate systems, procedures and controls for the organization which support compliance with this Code of Conduct
- Deal in a fair and expeditious manner with any allegations of Code of Conduct violations, in consultation with Human Resources
- Begin an investigation into an allegation immediately or as soon as possible after receiving a verbal or signed allegation in writing.

### **HUMAN RESOURCES RESPONSIBILITIES:**

- Maintain the Code of Conduct and related human resources policies
- Provide information and education relating to the Code of Conduct
- Provide advice on matters that are related to the Code of Conduct
- Support management in the investigation of alleged breaches of the Code of Conduct
- Determine, in conjunction with Management, the appropriate disciplinary action for confirmed breaches

### **CONFLICT OF INTEREST**

A “Conflict of Interest” is a situation in which an employee has personal or private interests that may compete with the public interests of the Town. Such competing interests may make it difficult for the employee to fulfill his or her duties impartially. A Conflict of Interest can create an appearance of impropriety or a perception of bias that can undermine confidence in the person and in the Town generally. A conflict exists even if no unethical or improper act results from it. A Conflict of Interest can either be an apparent conflict or a real conflict.

#### **Apparent Conflict**

An apparent conflict exists where an informed and reasonable person reviewing the matter and having thought the matter through could conclude that a Conflict of Interest exists, although it may not.

#### **Real Conflict**

A real conflict exists where a personal interest exists and that interest includes:

- Being known to the employee
- Having a connection to the employee’s duties that is sufficient to influence or interfere with the performance of those duties
- Any inappropriate expense claim made, which is unrelated or related to Town business or the employee’s job responsibilities
- Any apparent violation of Federal, Provincial or local laws



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### **Direct Interests**

Direct interests are those interests in which the employee, by virtue of a social or financial relationship, is likely to gain benefits or losses, advantages or disadvantages.

### **Indirect Interests**

Indirect interests are those interests in which the employee, by virtue of a social relationship or a financial relationship, may reasonably appear to gain benefits or losses, advantages or disadvantages, even though the employee may never have a direct interest.

## **DISCRIMINATION**

The Town of Georgina is committed to providing employees, vendors, customers and the public with a work environment free from discrimination and harassment, and promotes an atmosphere that respects the dignity, self-worth and human rights of every individual. Refer to Policy No. 2 Respectful Workplace Policy and Policy No. 42 Violence and Harassment Free Workplace.

No form of discrimination, including all forms of harassment will be tolerated, whether it involves employees or members of the public including but not limited to: hate, legislated, general, sexual and/or textual.

Employees must not engage in any hateful, demeaning or offensive behaviour, verbal or non-verbal.

It is the responsibility of all employees to create and maintain a workplace free from discrimination. As per the municipal Policy No. 2 Respectful Workplace Policy and Procedures, an employee confronted with or aware of discrimination of any nature is required to contact his/her supervisor, manager, Director of Human Resources or designate. Each complaint of discrimination will be treated as a serious matter.

## **GIFTS AND ENTERTAINMENT**

Employees must make workplace decisions based on an impartial and objective assessment of each situation, free from the influence of gifts, favours, hospitality or entertainment. The municipality must avoid both the reality and the appearance of impropriety with the organizations or individuals with whom it deals (reference the Suppliers Code of Conduct).

Employees shall neither offer nor accept any gifts, favours, hospitality or entertainment that could reasonably be construed as being given in anticipation of future, or recognition of past, "special consideration" by the municipality. The public's perception of the integrity of the municipality and its employees is of great importance. What an individual employee feels is an appropriate gift may not be viewed in the same light by the public.



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Gifts and entertainment may, on rare occasions, be given to others at the Municipality's expense only if they are consistent with accepted business practices. As a general rule, the acceptance of even customary business amenities should be avoided. However, it is recognized that this type of hospitality may be acceptable within strict limits as a part of some reciprocal business relationships or to develop a network which is of benefit to the Municipality.

An employee may pay for or accept customary business hospitality, such as meals and promotional items (i.e. mugs, hats, shirts, pens) provided:

- The expenses involved do not exceed a nominal value of \$50.00
- They are infrequent
- They can clearly be seen as legitimately serving a definite business purpose
- They are appropriately related to the responsibilities of the individual

Employees who are asked to speak publicly to an organization or professional association may accept a small honorarium or gift provided it is reasonable under all of the circumstances. In cases where employees are asked to speak or make presentations to share information with colleagues, it may also be permissible to accept the offer of travel and/or accommodations.

Employees should refuse all other forms of gifts. Employees may not accept travel, accommodations or other forms of hospitality when speaking at conferences or business functions where the purpose of the event is to solicit business from the Municipality or other consumers.

Employees should get approval from their manager prior to accepting hospitality or invitation to attend a special event.

### **BUSINESS NETWORKING EVENTS**

In recognizing the value of interaction with business associates, the Municipality periodically participates in business networking events such as golf, theatre, sporting events, etc. Approval to attend such events would be based on the purpose and spirit of relationship development and/or business procurement and be pre-approved by the employee's senior manager.

### **FAMILY RELATIONSHIPS (Nepotism)**

As a public sector employer responsible for providing a variety of programs and services to the community, municipal employees must ensure their personal lives and their official duties co-exist independent of each other.

Nepotism, the appointment to a position or the receipt of an employment benefit based on one's kinship or family relatives, is prohibited. There is an expectation, shared by the public and municipal staff alike, that all hiring, promotions, performance appraisals or discipline will be



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undertaken in an objective and impartial manner. Therefore, the Municipality prohibits employment situations where relatives would be:

- Supervised by, or subordinate to, one another
- Given preferential treatment in being recruited and/or selected for vacancies
- Appointed to positions where job responsibilities would be incompatible with positions occupied by relatives

Employees are required to disclose the particulars to their manager for appropriate resolution.

### **PERSONAL RELATIONSHIPS**

Personal relationships between employees and friends that are in receipt of municipal services, especially those persons that may be seen to be vulnerable clients, is a concern. The Municipality prohibits any employee from giving “preferential treatment to relatives or friends or to organizations in which relatives or friends have an interest, financial or otherwise”.

The integrity of the Municipality as an objective and impartial public service provider may be jeopardized when an employee’s personal relationship with a client appears to be the reason that the person is in receipt of the municipal service or program.

Should any of these types of personal relationships arise during the course of employment, the employee involved is required to disclose this perceived conflict of interest in writing to their manager, who will then address the matter accordingly.

### **POLITICAL AND COMMUNITY ACTIVITY**

To ensure public trust in the Municipality, employees must be, and appear to be, both personally impartial and free of undue political influence in the exercise of their official duties.

Employees engaged in political activities must separate those personal activities from their official positions. Employees may participate in political activities at the federal, provincial and municipal levels providing such activity does not take place during work hours or utilize municipal assets, resources or property. Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees on municipal worksites or on municipal property.

Employees wishing to run for federal, provincial or municipal office must request, and obtain, a leave of absence without pay, and abide by the respective legislation governing such elections.



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### **MEDIA AND PUBLIC RELATIONS**

Communications with the media and public will be conducted so that all information originates from an authoritative source within the Municipality. The official spokespersons for the Municipality include the Mayor, Chief Administrative Officer, Senior Management and Corporate Communications. Prior approval for any media comments or public relations activities should be sought from these people.

It is not the intent of this Code to restrict the ability of employees to express a personal opinion on matters of general interest. In such cases, the employee must make it clear that the comment is being made in their capacity as a private citizen, and not as a representative of the municipality. This is also extended to comments posted on personal social media channels and accounts.

Similarly, the employee must use caution to ensure that the Municipality's interests are not compromised in any way, either by the use of municipal letterhead, email addresses or by any other implication.

### **OUTSIDE BUSINESS ACTIVITY (Moonlighting)**

An employee must ensure that "moonlighting" at an external job does not negatively impact on their effectiveness at the Municipality, nor contravene any of its related policies and procedures. Outside work, activity or business must not:

- Conflict with their municipal hours of work
- Interfere with the efficient performance of municipal duties
- Compete with municipal services
- Use the Municipality's time or resources, such as photocopiers, stationery, computers, e-mail, internet, printers, vehicles, cellular phones, pagers or such, for the benefit of their second job or external activities
- Give employees a real or perceived financial or other personal interest or advantage that is derived from employment at the municipality

Employees must act in the best interests of the Municipality and the taxpayer. Responsibility to avoid actual or perceived conflicts of interest lies with the individual employee.

### **USE OF MUNICIPAL PROPERTY AND ASSETS**

Employees must ensure that any property (including cash, cheques, documents, inventories and equipment) in their care as part of their job duties is properly secured and protected at all times. This responsibility extends to the use and security of any purchasing or access code cards (eg. Photo ID Cards, Photo ID Fobs, Key Fobs).



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Employees shall only use the Municipality's property, equipment, supplies and services for activities associated with the discharge of their duties, unless proper authorization has been granted. Facilities such as internet access, electronic mail, telephone, voice mail, internal mail and bulletin boards are provided solely for municipal business and sponsored activities, and must be restricted accordingly, unless another use is approved by management. (reference IT policies: DAS-IT01 Responsible Computing Guidelines Policy and/or DAS-IT02 Electronic Mail & Messaging Systems Usage Policy & Guidelines.)

Employees using the internet in their jobs are prohibited from performing any unacceptable or unlawful activities on the Municipality's electronic network. This would include accessing pornographic or hate propaganda websites. The Municipality's electronic networks are corporate assets and employees should be aware that communications over its electronic networks should not be considered private communications.

The Municipality forbids software piracy, defined as using any unlicensed copy of a software package that has not been purchased for municipal purposes. It includes taking a copy of a licensed software package for one's own use or passing a copy on to another person for their use.

Employees shall not make unauthorized use, or use outside a sanctioned municipal initiative of any property, assets or other resources of the Municipality for any personal reasons.

No employee shall sell, transfer, or in any way authorize the use of any intellectual property, including copyrighted works, patented inventions or processes, and trademarks, belonging to the Municipality, without express authority.

The intellectual property rights in any work produced by an employee in the course of employment at the Municipality are the exclusive property of the Municipality.

Upon termination of employment, employees will deliver to the Municipality all drawings, correspondence, documents and all other property belonging to the Municipality, which may be in the employee's possession or control. This includes property made or prepared by the employee and relating in any way to the affairs of the Municipality. With permission, employees may retain samples of their work if such work was in the public domain.

### **USE OF PERSONAL ELECTRONIC DEVICES (PED's In the Workplace)**

Employees may use personal entertainment devices such as iPads, iPods, MP3, or CD players while working, for the purpose of listening to soft music only. This is only permitted in non-public areas and in a manner that does not disturb co-workers.

During regular working hours, employees are expected to use discretion when using their personal cell phones to receive or make personal telephone calls or texting. Talking on cell phones and texting at work causes unnecessary distractions, often minimizes productivity and



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can be intrusive. Cell phones are distracting not only because they require attention to operate, but because the conversation itself engages the employee's attention to something other than the job at hand and could potentially pose a safety risk. It is never okay for employees to make calls or text when driving a town vehicle or driving a personal vehicle for town business.

Employees are not permitted in any circumstance to use their phones for talking, recording and/or distributing of images and/or conversations that could be perceived as exploitation and bullying.

### **DRESS CODE**

Maintaining a professional, business like appearance is very important to the success of the Town of Georgina.

Regardless of the employee's interaction with clients, customers, suppliers, contractors, or volunteers, each employee projects the reputation of the Town of Georgina. Part of this impression depends on each employee's choice of dress.

Employees are expected to use good judgment and to show courtesy to their co-workers by dressing in a manner that is professional, presentable and appropriately consistent with the nature of their work.

At all times employees are asked to be cognizant that regardless of their interaction with clients, customers, suppliers, contractors, or volunteers working on-site or off-site the Town of Georgina is still a place of business.

### **CONFIDENTIAL INFORMATION**

It is every employee's responsibility to ensure all information collected, produced or obtained in the course of their duties, whether in reports, memos, oral communication or electronic format, is as accurate as possible.

Personal information controlled by the Municipality must be used or disclosed in compliance with the Municipal Freedom of Information and Personal Protection Act (MFIPPA). The MFIPPA allows employees to use personal information if they require that information to carry out their duties, the information is being used for the purpose of which it was obtained for and if the affected individual reasonably expects that their personal information would be used this way. Furthermore information must not be used or disclosed, except in accordance with the MFIPPA:

Law enforcement investigation (reference – Health and Safety Manual Section 5.15 – Violence Free Workplace Program)

- Performance of duty where it is required and proper
- Compelling health and safety reasons
- Authorized by statute





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- Individual's prior consent

When an employee proposes to disclose someone's personal information, the written consent of the affected individual is generally required.

Employees may not collect information unless:

- They have been given the legal authority to collect it
- The information is collected directly from the individual
- The individual is notified that their information is being collected

Employees must protect the following examples of information from illegal, unauthorized or inadvertent use and disclosure:

- Confidential information
- Company information (proprietary)
- Law enforcement information
- In-camera deliberations
- Solicitor client privilege
- Advice or recommendations (unless factual)
- Economic and financial interest
- Personal information, including:
  - Phone number
  - Address
  - Marital status
  - Date of birth
  - Family history
  - Employment history
  - Education
  - Financial status
  - Medical condition
  - Personal views/opinions
  - Criminal history
  - Sexual orientation
  - Religion

No employee shall wilfully mislead other employees, Councillors or the public, about any issue of municipal concern.

Only with proper authority will employees give or release to anyone, confidential information acquired in the course of that person's duties with the Municipality.

Employees must not benefit, either directly or indirectly, from the use of information acquired during the course of official duties that is not generally available to the public.



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All commercial, financial or technical information belonging to the Municipality, supplied to the Municipality by a third party, or information that has a monetary value to the Municipality, should only be released when to do so would be in the best interest of the Municipality and in compliance with the relevant legislation.

Employees may release the following information:

- Public documents:
  - Reports to Council – Open Session
- Council minutes:
  - Approved budgets
  - By-laws
  - Information that is available on the website

These guidelines extend beyond an employee's current relationship with the Municipality. For example, employees should not divulge to the Municipality any confidential information obtained from their former employer. Similarly, when an employee leaves the employment of the Municipality, they are not to disclose information that could be detrimental to the Municipality, individual or firm owning the information.

### **ALCOHOL AND DRUG USE**

Employees must abide by applicable laws and regulations governing the possession or use of alcohol and drugs. The illegal use of any restricted or controlled drug, narcotic or any other substance is prohibited and will result in discipline.

The Municipality prohibits the sale, purchase, transfer, distribution, and unauthorized possession or consumption of any restricted or controlled drug or alcoholic beverages by employees while on municipal premises.

Employees shall not consume drugs or alcohol if they operate a municipal owned or leased vehicle or municipal equipment or are required to operate their own vehicle as a requirement of their position.

It is never permissible for employees to attend to their job duties and responsibilities while under the influence of alcohol, drugs or other similar substances that might adversely affect performance and jeopardize health and safety while on the job.

Employees who may be experiencing problems related to alcohol and drug use are encouraged to contact the Human Resources Department regarding the municipal Employee Assistance Program.



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### FRAUD/THEFT

In general, fraud is an act committed which, through deceit, falsehood or other behaviour, either deprives the Municipality of its assets, property or other resources (this includes theft), or causes the Municipality to act to its own detriment or prejudice.

Fraud may include acts committed with the intent to deceive, involving either misappropriation of municipal assets, property or other resources or misrepresentations 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

All employees shall follow both the municipal 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. Each employee is encouraged to report any knowledge or suspicion of fraud to their manager or the Director of Human Resources.

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

- The appropriate management staff is responsible for conducting any investigations into incidents of suspected fraud or other alleged criminal activity e.g. improper handling or reporting of money transactions
- Authorization or receipt of payments for goods not received or services not performed
- Authorization or receipt of payment for hours not worked
- Any inappropriate expense claim made, which is unrelated or related to Town business or the employee's job responsibilities
- Any apparent violation of Federal, Provincial or local laws



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### **REPORTING/INVESTIGATION**

Employees who have reasonable grounds to believe a violation of the Code of Conduct has occurred should report such activity or behaviour, verbally or in writing, to their Manager, Director, Human Resources Director or the Chief Administrative Officer.

Supervisory and management staff shall take all appropriate steps to prevent and stop conflicts of interest, which come to their attention. Any supervisory or management staff member who is subject to, witnesses, or is given written complaints of conflict of interest shall work to minimize or eliminate the issue at hand. In the event that this is not possible with the available resources, the management staff is required to report the conflict to their Human Resources Director or the Chief Administrative Officer.

The Town of Georgina shall investigate all complaints of violations of the Code of Conduct and take all appropriate actions.

### **NO RETALIATION**

The Town will not condone retaliation of any kind by or on behalf of the Town of Georgina and its employees against good faith reports or complaints of violations of this Code of Conduct or other illegal or unethical conduct. All employees must co-operate fully during an investigation of alleged wrongdoing in relation to any activity outlined in the Code of Conduct. Retaliation against someone who is a witness or is involved in such investigation is strictly prohibited and will result in appropriate disciplinary action.

### **REMEDIAL ACTION**

Any employee that is found to have violated the Code of Conduct will be subject to disciplinary action up to and including discharge from employment.

In addition complaints which are found to be vexatious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the complaint following an investigation which may be subject to disciplinary action up to and including discharge from employment.

### **AWARENESS OF CODE OF CONDUCT**

This Code of Conduct will be made available to all employees by providing it at the time of orientation and will be posted on the intranet. In addition, employees shall be required to acknowledge receipt and acceptance of the Code annually and/or from time to time as necessary.



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I, acknowledge that I have read and understand the Code of Conduct applicable to Town of Georgina employees. I agree to adhere to this Code of Conduct. I understand that if I violate this Code of Conduct, I may face disciplinary action up to and including the termination of my employment, as well as any necessary legal action required or taken by the Corporation.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_