



## Corporation of the Town of Hearst

# **Code of Ethics Policy for Municipal Employees**

By adopting this code of ethics policy, the Corporation of the Town of Hearst intends to ensure that municipal employees:

- a. are aware of what constitutes a conflict of interest
- b. are aware of what constitutes a breach of trust
- c. are aware of the level of conduct and integrity which is expected of municipal employees

### **1.0 Specific Objectives**

#### **1.1 The objectives of this policy are to:**

- a. provide municipal employees with guidelines for identifying potential conflicts of interest and breaches of trust
- b. help ensure that municipal employees do not place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust
- c. promote high standards of professional conduct and values among municipal employees

### **2.0 Responsibilities**

#### **2.1 Council will:**

- a. review the Code of Ethics Policy for Municipal Employees as required and make any amendments considered appropriate
- b. review, consider or take other action concerning any violation of the Code of Ethics Policy for Municipal Employees which is referred to Council by the Chief Administrative Officer/Clerk, or raised by a member of Council during the course of Council discussions

Where there is any conflict between this policy and the policies set forth in the appropriate collective agreement, or policies set forth in a statute of the provincial or federal governments, collective agreements or the provincial or federal statute shall supersede the provisions of this policy.

## **2.2 The Chief Administrative Officer/Clerk will:**

- a. implement, administer and promote the Code of Ethics Policy for municipal employees
- b. ensure that department heads promote the ethical standards expressed within the Code of Ethics Policy to their employees
- c. recommend amendments to the Code of Ethics Policy to Council
- d. investigate and review any reported violation of the Code of Ethics Policy and approve and/or administer any subsequent corrective action

## **2.3 Department Heads will:**

- a. ensure that all employees of their department are familiar with the municipality's Code of Ethics Policy
- b. advise the Chief Administrative Officer/Clerk of any perceived violation of the Code of Ethics Policy by a member of staff, and institute appropriate preventative or corrective action
- c. recommend to the Chief Administrative Officer/Clerk any changes to the Code of Ethics Policy which are considered appropriate

## **2.4 Responsibilities of Municipal Employees and Officials**

- a. **Entrusted to uphold laws:** Municipal employees and public officials are agents of the public whose primary objective is to address the needs of the citizens. As such, they are entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable federal and provincial laws. As public servants, they must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.
- b. **Dedicated Service:** All officials and employees of the municipality should faithfully work towards developing programs to address the needs of its citizens. In the course of their duties, officials and employees should strive to perform at a level which is expected of those who work in the public's interest and be dedicated to provide quality services on a timely basis.

- c. **Perform within authority:** Employees should not exceed their authority, breach the law, or ask others to do so, and should work in full co-operation with other public officials and employees, unless prohibited from doing so by law or by formally recognized rules of confidentiality.
- d. **Soliciting Appointments:** Soliciting members of Council directly or indirectly in order to obtain preferential consideration in connection with any appointment to the municipal service will disqualify the candidate from further consideration for the appointment.
- e. **Use of Public Property:** No employee shall request or permit the use of municipal-owned vehicles, equipment, materials, or property for personal convenience or profit, except where such privileges are granted to the general public or are authorized by the Chief Administrative Officer/Clerk or Council.
- f. **Obligations to Citizens:** No employee shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.
- g. **Conflict of Interest:** No employee, whether paid or otherwise, shall engage in any business transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties or would impair their independence of judgment or action in the performance of their official duties. Personal interest, rather than financial, includes any interest arising from family or marriage relationships or close business or political associations. The following are situations which constitute conflicts of interest for municipal employees:
  - **Incompatible Employment:** No employee shall engage in or accept private employment or render services for private interests when such employment or services are incompatible with the proper discharge of their official duties or would impair his/her independence of judgment or action in the performance of his/her official duties.
  - **Disclosure of Confidential Information:** No employee shall, without proper legal authorization, disclose confidential information concerning the property, governance, or affairs of the municipality; nor shall he/she use such information to advance the financial or personal interest of him/herself or others.
  - **Gifts and Favours:** In keeping with established private-public business practices, no employee shall show favouritism or bias toward any vendor, contractor, or others doing business with the municipality. Employees are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality that would tend to influence them in the proper discharge of their official duties.

- **Representing Private Interests before a Municipal Agency:** No employee whose salary is paid in whole or in part by the municipality shall appear on behalf of private interests before any agency or court of the municipality without the consent of the Chief Administrative Officer/Clerk or Council. The employee shall not represent private interests in any action or proceeding against the interests of the municipality or in any litigation to which the municipality is party.
  - **Contracts with Municipalities:** No officer, agent or employee of the municipality shall have any interest, direct or indirect, in any legal municipal contract issued by him/her or by any public committee, board, commission or department of which they are a member, agent, or employee. However, an officer, agent, or employee of the municipality may enter into a legal contract with the municipality or any agency if approved by resolution or by-law duly adopted by Council.
- h. **Political Activity:** No employee of the municipality shall perform work, either volunteer or paid, on behalf of any political party during his/her hours of employment with the municipality.

### 3.0 Reporting Breaches of this Code

Employees who have reason to believe that this Code of Ethics Policy has been breached in any way are encouraged to bring their concerns to the Chief Administrative Officer/Clerk. No adverse action shall be taken against any employee who, acting in good faith, brings forward such information.

### 4.0 Corrective Action

Violation of this Code of Ethics Policy by a municipal employee may constitute a cause for corrective action. Any reported violation of this policy will be subject to investigation by the Chief Administrative Officer/Clerk and/or Council. If an investigation finds an employee guilty of a breach of the Code of Ethics Policy, the corrective action pursued against the employee shall be commensurate with the nature and severity of the violation.

### 5.0 Revisions

The municipality's Code of Ethics Policy and/or the sections contained therein will be reviewed and amended by Council, in consultation with the Chief Administrative Officer/Clerk, as required.

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MAYOR

*Adopted by By-law 90-09 on November 17, 2009.*

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CHIEF ADMINISTRATIVE OFFICER/CLERK