

Municipal District of Acadia No. 34

POLICY NUMBER: 1706.01

TITLE: Municipal Employee Code of Conduct

POLICY AREA: Human Resources

Approval Date: 14 February 2017

Revision Date(s):

Policy Statement:

The standards applied to the behaviour of Municipal Employees differ from those applied to employees in the private sector, as we work for an institution that is accountable to the public. Therefore, it is necessary to have a Code of Conduct that reflects this added responsibility to ensure work is done with integrity and to a high level of service, in order to manage public perceptions, avoid favoritism, protect personal information, avoid personal gain from the use of position, and protect the rights of individuals, municipal employees and residents within the MD of Acadia No. 34.

PRINCIPLES:

1. General Personal Conduct:

- i. Municipal Employees shall perform their duties with integrity, honesty and respect to the job, the Municipality and to public service.
- ii. Municipal Employees shall respect and be accountable to each other, to Councillors, to the Municipality, and to the public at all times, including on social media platforms.
- iii. Municipal Employees shall be polite and courteous at all times.
- iv. Municipal Employees shall treat others equitably and fairly.
- v. Municipal Employees shall recognize and value the diversity among workplace members, customers and citizens.
- vi. Municipal Employees shall accept responsibility for their actions, behaviour and impact on others.
- vii. Municipal Employees shall take action in a prompt, impartial and confidential manner when issues concerning a lack of respect in the workplace come to their attention.
- viii. Municipal Employees shall ensure that no person suffers reprisal as a result of making a complaint, or for providing information in support of conflict resolution.
- ix. Municipal Employees shall immediately inform a supervisor and the CAO of incidents of threat or violence.

2. Work time and Municipal Assets:

- i. Municipal Employees shall use Municipal assets only for the performance of municipal duties.
- ii. Municipal Employees shall safeguard Municipal assets.
- iii. Municipal Employees shall avoid inappropriate uses of Municipal assets.
- iv. Employees are not allowed to perform maintenance on private vehicles in Municipal Buildings or on municipal property without prior approval from the CAO.
- v. Tools or equipment owned by the Municipality are not to be loaned or rented to employees unless approved by Council.

3. Outside Business Activities (For Full-time Employees Only):

- i. Prior to a full-time municipal employee taking on any outside business activities, it is important that the employee notify the CAO, in writing, of any such proposed activity.
- ii. Agriculture activity on a municipal employee's family farm is not considered an outside business activity so long as it does not interfere with the employees' duties with the Municipality.
- iii. Before any municipal employee takes on any outside business activities, it is important that they consider the following:
 - a. Will the outside business activity interfere with their duty as a municipal employee?
 - b. Will the outside business activity influence their ability to do their job with the Municipality objectively and impartially?
 - c. Will their job with the Municipality give them any special influence in the outside business activity?
- iv. If there is a significant Conflict of Interest, the CAO may ask the municipal employee to choose between ceasing that outside business activity and resigning from his/her job at the Municipality.

4. Dealing with Relatives:

- i. Municipal employees shall not issue permits to their family members.
- ii. If a municipal employee's family member requires a permit from that municipal employee's department, another municipal employee, such as a supervisor, may issue the permit so as not to hinder the family member's ability to conduct business with the Municipality.
- iii. Municipal employees may not hire a member of their family to work for the Municipality.
- iv. If a member of a municipal employee's family wishes to pursue employment with the Municipality, their recruitment will be handled by another municipal employee.

- v. Family members who work for the Municipality may not be in a direct reporting relationship.

5. Handling of Information:

- i. Municipal employees are privy to a significant amount of confidential information about the Municipality, residents, businesses, other levels of government, and other organizations and individuals. As such, municipal employees must handle confidential information in accordance with Alberta's Freedom of Information and Protection of Privacy Act, especially as stipulated in sections 16 to 29. This includes, but is not limited to, not disclosing information such as:
 - a. Trade secrets of a business that the Municipality deals with.
 - b. Information about labour relations of a business that the Municipality deals with. .
 - c. Personal information about residents, Councillors, or fellow employees which includes but is not limited to names, phone numbers, addresses, and email addresses.
 - d. Any information that would harm public safety.
 - e. Any information that would harm the Municipality's relationship with the Province of Alberta, the Federal Government, or another Municipality.

6. Public Statements:

- i. The Reeve is the Chief Spokesperson of the Municipality. He may delegate this duty as he/she deems appropriate.
- ii. Municipal employees are to advise the CAO of any queries or questions posed to them by the media.
- iii. No municipal employee may speak to the media concerning any issue pertaining to the Municipality without expressed permission from the CAO.
- iv. Municipal employees must not disclose confidential information to the public and/or media, as stipulated in Alberta's Freedom of Information and Protection of Privacy Act.
- v. Municipal employees must not say anything to the public and/or media nor post anything on social media that would place the Municipality in a negative light.

7. Appearing Before Municipal Council:

- i. The CAO may on occasion call upon individual employees to appear before Council at Council Meetings to provide Council with information it needs to make a decision.
- ii. Municipal employees who wish to appear before Council to speak as residents must consult with the CAO prior to doing so.

8. Gifts:

- i. Municipal employees must not accept payment for doing something that they are paid to do as part of their job with the Municipality as this may give the appearance that their services to certain residents and businesses is being purchased.

9. Political Activity:

- i. Under the Canadian Charter of Rights and Freedoms, an individual has the right to be a member of a political party.
- ii. Part of the nature of a municipal employee's work is that it is apolitical. Each municipal employee must take care that their participation in a political party's activities does not affect their apolitical objectivity in their work at the Municipality.
- iii. If a municipal employee solicits donations for a political party, they must not do so on Municipal property, nor during work time, nor shall they represent themselves as a Municipal employee while soliciting donations.
- iv. If a municipal employee wishes to run for political office, they must notify the CAO in writing.
- v. The CAO will grant municipal employees who wish to run for political office a leave of absence without pay, pursuant to Alberta's Local Authorities Election Act, Section 22(6).

10. Consequence of Non-Compliance:

- i. Any breach of this policy will be treated as misconduct.
- ii. The Municipality will take corrective action in response to any infraction or transgression of this policy.
- iii. Misconduct will be reviewed and may result in disciplinary action being taken against the municipal employee, up to and including:
 - a. Dismissal from employment
 - b. Seeking full financial restitution
 - c. Commencement of civil action
 - d. Criminal prosecution
 - e. Instructing the municipal employee to divest themselves of an outside interest
 - f. Transferring the municipal employee to another position
 - g. A combination of the above
- iv. The CAO shall have ultimate authority over the consequences of non-compliance.
- v. In an instance where the CAO is accused of breaching the Code of Conduct, Council shall have ultimate authority over the consequences of non-compliance.
- vi. Any individual who is punished as a result of a breach of the Code of Conduct has the right to appeal to Council within 14 days of the decision being rendered.

11. Miscellaneous

- i. Municipal employees are expected to uphold the principles of this policy whether on-duty or off-duty.

DEFINITIONS:

- a. **CAO:** The Chief Administrative Officer of the MD of Acadia, as defined in the Municipal Government Act of Alberta.
- b. **Conflict of Interest:** when employees' personal interests, due to an outside business activity that they or their family are involved in, are in conflict with their duties as a municipal employee.
- c. **Council:** the body of elected officials for the MD of Acadia, as set out in the Municipal Government Act of Alberta.
- d. **Councillors:** elected officials of the MD of Acadia, as set out in the Municipal Government Act of Alberta.
- e. **Family Member:** members of a municipal employee's family includes his/her spouse, common-law partner, parent, grandparent, grandchild, guardian, parent of current spouse, child or ward, brother, sister, niece, nephew, brother in-law, sister in-law, fiancé, or a related dependent of the employee.
- f. **Municipality:** the Municipal District of Acadia No. 34
- g. **Municipal Assets:** all property of the MD of Acadia, including equipment, financial assets, land, buildings and other structures, vehicles, materials, computers, electronic mail, internet services, information, and work time.
- h. **Municipal Employee:** a person who is employed by the Municipality. Councillors are not employees. Employees include the CAO, full-time staff, part-time staff, casual staff, and volunteers who are compensated by or who represent the municipality in any capacity, including members of boards and committees, emergency services volunteers, and, in certain cases, contractors to the Municipality. A full-time employee is defined as those employees who regularly work 25 hours per week or more. A part-time employee is defined as those employees who regularly work between 10 and 24 hours per week. A casual employee is defined as those employees who regularly work between 1 and 9 hours per week. All other employees and personnel covered by this policy are those unelected persons who do not have regularly scheduled hours and/or are called upon on an ad hoc basis in service to the Municipality.
- i. **Political Activity:** being a member of a political party, participating in a political party's activities, soliciting donations for a political party, and running for political office.

ROLES AND RESPONSIBILITIES:

- a. Employees are responsible for:

- i. Reading and complying with the Code of Conduct and requesting clarification from their managers as required.
 - ii. Requesting clarification about any potential violation of the Code of Conduct, including conflict of interest, and obtaining approval from their managers as required.
 - iii. Disclosing in writing to their manager any current personal, business, commercial or financial interest which may result in a violation of the Code of Conduct.
 - iv. Reporting suspected violations of the Code of Conduct to their supervisor(s) or the CAO.
 - v. Cooperating with those performing an investigation.
- b. Supervisors/Managers are responsible for:
 - vi. Assisting employees in the administration, interpretation and application of the Code of Conduct.
 - vii. The consistent administration of the Code of Conduct within their department.
 - viii. Documenting and retaining any major approvals, decisions or directions given to employees in relation to the Code of Conduct.
 - ix. Reporting any alleged violations of the Code of Conduct to the CAO.
- c. The CAO is responsible for:
 - i. The consistent administration and communication of the Code of Conduct by departments.

Approved by Council: 14 February 2017

Chief Administrative Officer