

	Policy No. and Title:	1008-01 – Code of Conduct		
	Department:	Corporate Services	Approved By:	Council
	Approval Date:	June 28, 2022	Resolution No:	2022-307
	Revision Date:	N/A	Resolution No:	N/A

**POLICY STATEMENT / PURPOSE**

This policy establishes a corporate Code of Conduct as required by the *Northern Municipalities Act, 2010*. This policy provides the expectations for appropriate conduct of Municipal agents, Council, and Employees, including:

- a) an understanding of the fundamental rights, privileges, expectations, ethical standards, and obligations; and
- b) in circumstances where they are uncertain as to the ethical appropriateness of that conduct, a means for seeking clarity.

**DEFINITIONS**

“CAO” means the Chief Administrative Officer for the Town of La Ronge.

“Council” means the duly elected officers of the Town of La Ronge and the Chief Elected Officer or Mayor.

“Employees” means all Municipal staff, contract employees, and all volunteer firefighters.

“Human Resources” means the CAO, or a duly appointed designate, who is responsible for administering human resource functions for the Municipality.

“Permanent Employee” means an Employee who is filling a continuous position, with guaranteed minimum weekly hours of work.

“Personal Information” is any factual or subjective information, recorded or not, about an identifiable individual. It includes: Age; name; address; phone numbers (both personal and business); weight; height; medical records; ID numbers; income; ethnic origin; sexual orientation; blood type; opinions; evaluations; comments; social status; disciplinary action; employee files; credit records; loan records; existence of a dispute between a consumer and a merchant; and intentions (for example, to acquire goods or services, or change jobs).

“Supervisor” means the CAO, or the applicable department head designated by the CAO, for a given Employee.

“Volunteers” means Municipal Committee board members, and any other individual designated by the CAO or Council.

**POLICY STATEMENTS**

**1.0 GENERAL PROVISIONS AND PRINCIPLES**

1.1 This policy is applicable to all Municipal Employees, Council, and Municipal agents.

- 1.2 Any violation or breach of this Code of Conduct Policy may result in discipline, up to and including termination of employment for cause (as per the Disclosure and Discipline Policy) and/or a civil lawsuit in the courts.
- 1.3 As stewards of publicly entrusted funds and assets, Employees, Council, and Municipal agents must observe the highest standards of conduct in the performance of their duties, regardless of personal consideration.
- 1.4 Municipal Employees, Council, and Municipal agents must avoid situations where 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.
- 1.5 Municipal Employees, Council, and Municipal agents must not engage in any conduct or activity that contravenes a Municipal bylaw or any law in force in Saskatchewan, as it might:
  - a) detrimentally affect the Municipality's reputation;
  - b) result in a person being unable to properly perform his or her Municipal duties and responsibilities;
  - c) cause persons to refuse, or be reluctant, to work with the Municipality; or
  - d) otherwise inhibit the Municipality's ability to efficiently manage and direct its operations.
- 1.6 Municipal Employees, Council, and Municipal agents shall act with integrity and respect.
- 1.7 Municipal Employees, Council, and Municipal agents shall treat every person with dignity, understanding, and respect.

## **2.0 CONFIDENTIALITY**

### **General Statements**

- 2.1 Municipal Employees, Council, and Municipal agents must hold in strict confidence all information of a confidential nature acquired in the course of his or her Municipal duties. Confidential information means information that is not part of the public domain, and information designated by CAO or Council as confidential, such as personal information, items under any legal proceeding, or any other item deemed confidential by the Municipality.
- 2.2 Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for Municipal Employees, Council, and Municipal agents to use information that is obtained as a result of his or her role with the Municipality 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;
  - b) seek to improperly further another person's private interests;
  - c) share confidential personal or organizational information with others without first obtaining clarification and/or authorization.

## **Personal Information**

- 2.3 All information related to an individual must be treated as confidential. This information may be in written, verbal, electronic, or other forms.
- 2.4 No one shall disclose any Personal Information known by reason of their role with the Municipality. This may include, but is not limited to, personal information (including information about staff or members of the public), details of accidents or incidents, and any other information protected by the Local Authority Freedom of Information and Protection of Privacy Act.
- 2.5 Personal Information gathered by the Municipality may be used only for the purpose for which it was collected. Personal Information gathered by the Municipality for the purpose of being made public may be used for that purpose.
- 2.6 With respect to Municipalities, the Local Authority Freedom of Information and Protection of Privacy Act addresses privacy issues related to Personal Information. Specific rules are set out to ensure that Personal Information is not disclosed beyond what is required for the proper operations of a public body or for other specified reasons. Under this Act, an individual releasing Personal Information inappropriately may be liable to a fine or imprisonment as determined by the legislation.
- 2.7 Any misuse of confidential Personal Information will be considered a breach of confidentiality and must be disclosed in accordance with the Disclosure and Discipline Policy.

## **3.0 USE OF INFLUENCE**

### **General Provisions**

- 3.1 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 this policy for anyone to use his or her position to seek to 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;
  - b) seek to improperly further another person's private interests.
- 3.2 The organizational structure of the Municipality includes various levels of reporting between Municipal Employees, Council, and Municipal agents. As such, care must be exercised in not abusing, or allowing the perception of abuse, to exist in situations between employees where reporting exists.
- 3.3 The supervisor-employee relationship shall be objective and impartial at all times. When a variable such as personal relationship, money, or other compensation is introduced within the relationship, respect and communication can suffer and lead to accusations of improper conduct and may be considered a conflict of Interest.
- 3.4 The Municipality strictly prohibits favouritism or bias in employment decisions, assignment of duties, or any other aspect of operation of the Municipality.

### **Exchange of Money or Other Compensation**

- 3.5 No one shall, under any circumstances, borrow money, lend money or take other compensation from other Municipal Employees, Council, and Municipal agents where there is a direct or indirect reporting relationship.
- 3.6 Anyone requesting the loan of money are to be directed to the CAO or Human Resources.

### **Personal Relationships**

- 3.7 The Municipality recognizes that personal relationships that occur in the workplace may take place without incident; however, this section of the policy has been adopted to assist with the management of any issues raised by fraternization in the workplace between those in positions of authority and their subordinates.
- 3.8 Fraternization between someone in a position of authority and a subordinate can foster a work environment with perceived forms of bias, favouritism, intimidation, coercion, or exploitation.
- 3.9 When a consensual romantic or sexual relationship of any sort between someone in a position of authority and his/her subordinate exists, begins, or ends, the Municipality requires both parties to report the relationship in accordance with the Disclosure and Discipline Policy. After disclosure, a review will be conducted to verify if the relationship is/was consensual, to determine whether a potential for conflict of interest exists, and recommend what further actions will be required (e.g. transfer of an employee to alternate department or location).
- 3.10 In the event that a relationship ends for any reason, or is not consensual, any actions with the effect of coercing or otherwise harassing a Municipal Employee, Council, and Municipal agent shall constitute sexual harassment.
- 3.11 All persons shall deal with all members of Council in an objective and impartial manner at all times. Council fulfils a representative and policy making role on behalf of the Municipality and its residents, while administration provides policy advice and deliver Municipal programs to the public. Employees must be respectful of Council's role in order to best serve the public interest. Council's role is further laid out in the Council's Governance Policy Manual.

### **Organizational Conflict of Interest**

- 3.12 An Organizational Conflict of Interest occurs when a person's private affairs or financial interests are in conflict with, or could result in the perception of conflict with, the person's duties or responsibilities while carrying out their Municipal duties in such a way that:
- the person's ability to act in the public interest could be impaired;
  - the person's actions or conduct could undermine or compromise the public's confidence in the person's ability to discharge their Municipal duties or the trust that the public places in the Municipality.
- 3.13 Persons who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter as described in the Disclosure and Discipline Policy. Examples of conflicts

of interest include, but are not limited to, when a Municipal Employee, Council member, or Municipal agent:

- uses Municipal property or equipment to pursue the interest of another organization;
- uses their position or office to pursue the interest of another organization;
- in the performance of official duties, gives preferential treatment to an individual, corporation, or organization including a non-profit organization, in which the employee, a relative, or friend of the employee has an interest, financial or otherwise;
- benefits from, or is reasonably perceived by the public to have benefited from, a Municipal transaction over which one can influence decisions (e.g. investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approval, and appointments);
- accepts from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of employment, other than:
  - the exchange of hospitality between persons doing business together;
  - tokens exchanged as part of protocol;
  - prizes randomly drawn for at any Town-sanctioned event;
  - the normal presentation of gifts to persons participating in public functions;
  - the normal exchange of gifts between friends.

#### **4.0 FRAUD**

4.1 Fraud is the intentional, false representation or concealment of facts for the purpose of personal or Municipal gain, or inducing another to act upon it to his or her injury or financial loss. Actions constituting fraud include, but are not limited to:

- forgery or alteration of any document or account belonging to the Municipality;
- forgery or alteration of a cheque, bank draft, or any other financial document;
- theft of funds, securities, supplies, or other assets (including those procured pursuant to contra arrangements);
- impropriety in the handling or reporting of money or financial transactions;
- profiteering as a result of insider knowledge of the Municipal activities;
- disclosing confidential or proprietary information to outside parties;
- disclosing to other persons business activities engaged in or contemplated by the Municipality;
- providing or accepting gifts of material value to/from customers, contractors, vendors or other persons doing or attempting to do business with the Municipality that are intended to influence a business decision or selection process;

- destruction, removal or inappropriate use of the Municipal records, furniture, fixtures, and equipment;
- any similar or related inappropriate conduct.

4.2 Municipal Employees and Council members shall not commit or assist in fraud, in any form.

## 5.0 HARASSMENT AND DISCRIMINATION

5.1 Discrimination is an unfair action taken against an individual.

5.2 Harassment is a form of discrimination, under The Saskatchewan Human Rights Code and The Saskatchewan Employment Act and is illegal. As defined within The Saskatchewan Employment Act,

1(l) "**harassment**" means any inappropriate conduct, comment, display, action or gesture by a person:

(i) that either:

(A) is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin; or

(B) subject to subsections (4) and (5), adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; and

(ii) that constitutes a threat to the health or safety of the worker;

Subsections 1(4) and 1(5) of *The Saskatchewan Employment Act* reads:

(4) To constitute harassment for the purposes of paragraph (1)(l)(i)(B), either of the following must be established:

(a) repeated conduct, comments, displays, actions or gestures;

(b) a single, serious occurrence of conduct, or a single, serious comment, display, action or gesture, that has a lasting, harmful effect on the worker.

(5) For the purposes of paragraph (1)(l)(i)(B), harassment does not include any reasonable action that is taken by an employer, or a manager or supervisor employed or engaged by an employer, relating to the management and direction of the employer's workers or the place of employment.

5.3 Harassment is a concern for everyone and maintaining a harassment free workplace is everyone's responsibility. Everyone in the Municipal organization has a responsibility and legal obligation to ensure Employees, Council, and Municipal agents are not exposed to harassment in the workplace and for the implementation and adherence of this policy. This includes taking

appropriate preventive or corrective action and stopping any harassment of which they are aware.

- 5.4 Municipal Employees, Council members, and Municipal agents must refrain from discriminatory or harassing behavior, and have a responsibility to create and support a workplace that is free of harassment by complying with this policy and by ensuring their behavior meets acceptable standards.
- 5.5 Performance management processes, constructive feedback, explaining expectations and consequences, providing supervisory direction, and assigning duties does not constitute harassment.

## **6.0 EXTERNAL EMPLOYMENT**

- 6.1 With respect to external employment, if one or more of the following criteria are characteristic of the employee's activity, then such an activity is defined as external employment:
- self-employment;
  - activities from which there is a monetary reward;
  - activities where a service or advice is provided and an honorarium received.
- 6.2 External employment will be permissible as long as such employment:
- is not forbidden by legislation;
  - does not interfere with the Employee's performance of his/her regular duties;
  - does not use advantages derived from employment with the Municipality;
  - does not involve the use of Municipal premises, supplies, equipment, cell phones, computers and/or other Employees who are being paid by the Municipality for their involvement;
  - is not performed in a manner as to appear to be an action or policy of the Municipality;
  - is approved by the CAO.

## **7.0 CONDUCT IN MEDIA**

- 7.1 General operational questions from the media are to be directed to the CAO, who may direct the question to the applicable Supervisor or the Mayor. In the absence of the CAO, the media is to be directed to the Acting CAO.
- 7.2 Questions regarding Council, decisions of Council, and non-operational matters may be directed to the Mayor.
- 7.3 Municipal Employees, Council members, and agents shall not post or publish in the media in a way that is likely to negatively impact the Municipality's reputation. This includes posting

negative comments about other Employees, Volunteers, Council members, and members of the public, which may also be enforced under harassment provisions in this policy.

7.4 Municipal Employees, Council members, and agents shall not post or publish in the media representing themselves as communicating on behalf of the Municipality without the Municipality's express consent. Where disclosing a potentially controversial viewpoint or opinion, a disclosure indicating that "these views are personal and do not necessarily represent the views of the Municipality and/or Municipal Council" is advised.

## **8.0 UPWARD COMMUNICATION**

8.1 Employees are required to inform their Supervisor as soon as reasonably possible of the following matters:

- any issue or circumstance where the Supervisor may be held accountable for via provincial or federal legislation;
- any complaint that is not satisfactorily resolved for all parties and may rise to the level of CAO or Council;
- any contemplated action that would not comply with Municipal policy or bylaw;
- ideas or suggestions for improved organizational performance.

## **TOWN OF LA RONGE**



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Lyle Hannan, CAO