

## Corporate Policy

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<b>Policy Type:</b>	Working Conditions and Programs
<b>Policy Title:</b>	Code of Ethics
<b>Policy #:</b>	E1
<b>Policy Approved By:</b>	Council
<b>Effective Date:</b>	December 14, 1998
<b>Revised/Reviewed:</b>	November 3, 2020
<b>Applicable To:</b>	All Employees
<b>Historical Review:</b>	April 9, 2018 <a href="#">CLD-008-18</a> / <a href="#">By-law 2018-034</a> , October 28, 2013 <a href="#">LGL-010-13</a> Reference to E1, September 18, 2012 E1 (Employees), November 24, 2009 E1, November 23, 2009 <a href="#">CAO-010-09</a> (Reference Code of Conduct Council ),November 24, 2009 H3 – Code of Ethics, October 19, 2009 <a href="#">CAO-007-09</a> Code of Conduct (Council), December 3, 2007 <a href="#">CLD-042-07</a> Accountability and Transparency – reference to Code of Ethics E1, June 18, 2007 <a href="#">CAO-11-07</a> Lobbyist Registry, July 17, 2006 H3 Code of Ethics (Employee & Council), December 10, 2001 H7 Code of Ethics (Employees & Council), December 10, 2001 Bylaw 2001-209, December 3, 2001 <a href="#">COD-020-01</a> Code of Ethics (Employees & Council), December 14, 1998 H7 Code of Ethics, <a href="#">By-law 98-186</a> (Employees & Council), December 7, 1998 <a href="#">TR-88- 98</a> Code of Ethics Policy Report (Employees & Council)

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### 1. Purpose:

To provide a standard of conduct for employees of the Corporation in the carrying out of their work assignments and their relationships with the public, elected officials and each other.

### 2. Policies/Procedures:

#### **Conduct**

- a) Employees are expected to promote the goals, objectives and policies of the Municipality of Clarington.
- b) Employees will acknowledge and recognize the dignity and worth of every resident they serve and person with whom they work.

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- c) Employees shall not breach the public trust or misappropriate public funds and/or resources.
- d) Employees shall not use Municipal property, equipment, supplies or services of consequence for activities not associated with the discharge of official duties.
- e) Employees shall not participate in any decision, promotion or make any recommendation to their supervisor, Committee or Council, in which they or their immediate family has any financial interest except as a resident of the Municipality. (Refer to Appendix for clarification).
- f) Employees shall not solicit or accept any gift, present or favour, the acceptance of which shall place, or appear to place, the employee under an obligation to the donor or the Municipality in a compromising situation. (Refer to Appendix for clarification).
- g) Employees shall not place themselves in a position where they are under obligation to any person who might benefit from consideration or favour on their part or who may seek in any way, preferential treatment.
- h) Employees shall not benefit from the use of information relating to the affairs of the Municipality.
- i) Employees shall not benefit from the use of information acquired during the course of official duties which is not generally available to the public.
- j) Employees shall not accept outside employment while in the employ of the Corporation where such employment would place or appear to place them in a conflict of interest situation.
- k) Employees shall not sell goods or services to the Municipality or have a direct or indirect interest in a company or own a company which sells goods or services to the Municipality.
- l) Employees shall not treat or provide preferential treatment to any enterprise, organization, group or person.
- m) Employees shall not conduct their work activities in a manner which may cause personal injury to themselves or others or damage to equipment or property of the Municipality.

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- n) Employees are expected to report to work in a fit condition to carry out their work duties. Employees reporting to work in an unfit condition will be sent home without pay. The Corporation considers an employee unfit for work if they are under the influence of alcohol or other substances which may compromise their ability to work. This includes legal medications which may impair one's effectiveness and/or judgment and those other substances which are illegal. Likewise, consumption of alcohol or illegal substances during working hours and on corporate property is strictly forbidden.
- o) Employees shall not bid on the sale of the Municipality's goods except those disposed by Public Auction.
- p) Employees shall not use Municipal buying power for personal gain or benefit.

### **Outside Work**

Employees shall not, without the approval of the Department Head or the Chief Administrative Officer as the case may be:

- a) Engage in any business or transaction or have financial or other personal interest, which is incompatible with the discharge of their official duties.
- b) Engage in any outside work or activity or business undertaking:
  - i) That interferes or appears to interfere with the employee's duties, in which the employee has an advantage or appears to have an advantage derived from the employment in the Municipal Corporation.
  - ii) In a professional capacity that will or might appear to influence or affect the carrying out of duties as a Municipal employee.

### **Communications**

- a) An employee shall be courteous, civil and act in good faith with all persons with whom he/she is dealing within the course of their employment. An employee shall not in the course of their employment send correspondence or otherwise communicate to any other person in a manner that is abusive, offensive or otherwise inconsistent with the proper tone of a professional communication from a Municipal employee, except in extenuating circumstances such as an abusive member of the public.
- b) Employees should recognize that as a representative of the Municipality, their actions both during and after working hours reflect the Municipality of Clarington. Therefore, they are encouraged to adhere to this policy regarding communications when addressing council or elected representatives even as a private citizen.

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### ***Confidential Information***

In the course of employment with the Municipality, an employee may work with information and/or materials which are confidential. Each employee has a moral and legal obligation not to disclose any such information or use that information for the gain or profit of the employee or any other person. This obligation continues even after the employee discontinues working for the Municipality of Clarington.

### ***Disclosure***

Whenever an employee considers that he or she could be involved in a conflict of interest as prohibited in this policy, the employee shall immediately disclose the situation to the Department Head (or his or her designate), or the Chief Administrative Officer, as the case may be. The voluntary disclosure of areas of conflict of interest shall be treated as confidential by the employee and Municipal authorities and the employee should abide by the advice given to him/her.

### ***Staff Involvement in Elections***

Municipal staff are expected to preserve the public trust and confidence in the Municipality. With respect to elections, employees are expected to promote the principles of transparency, impartiality, respect and accountability as follows:

- a) Employees engaged in political activities must take care to separate those personal activities from their Municipal responsibilities. Employees may participate in political activity at the Federal, Provincial and municipal levels provided that 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 work sites or on Municipal property.
- b) Employees shall not canvass or actively work in support of a municipal candidate or political party during normal working hours unless they are away from work on a leave of absence without pay, maternity/parental leave, lieu time, flex day or vacation leave.
- c) Employees shall not canvass or actively work in support of a municipal candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Municipality, or using a vehicle owned or leased by the Municipality.
- d) Employees who are relatives of any candidate shall not be assigned to work as an election official, or work on any part of the election process.

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- e) Employees are advised to be especially mindful of public perception during municipal elections, and to ensure that their activities neither conflict with nor adversely affect their duties as Municipal staff.
- f) Where a Municipal employee seeks an elected office, he/she shall be governed by the Municipal Elections Act.

### ***Contravention***

Should a situation arise which appears to be in contravention of this policy, the Chief Administrative Officer shall, in consultation with the employee's Department Head and any other Municipal Official he/she may wish to consult, determine what action is appropriate in the circumstances, which may include discipline up to and including termination of service. The matter may then be reported, at the discretion of the Chief Administrative Officer, to the appropriate Committee(s) of Council for information.

### **3. Appendix:**

Code of Ethics Guidelines