



Corporation of the Town of Cobourg

Policy Title: Employee Code of Conduct

Division: General Administration
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Purpose

A Code of Conduct sets out the core values we apply to our everyday experiences. When we demonstrate these values, we build a Town with integrity that has the trust and confidence of the public. The Town of Cobourg is accountable for what we do and our accountability is ensured by transparency. We must be open and honest in dealing with our all employees, the public and Town Council.

Town of Cobourg is dedicated to fostering a common understanding of the fundamental rights, privileges and obligations of municipal employees by developing a code of conduct which recognizes that a municipal public servant has a responsibility to uphold the basic principles of integrity, honesty, impartiality and common sense and must not take advantage of their position to further personal interests and in return shall not be subjected to inappropriate behaviour from other employees, Members of Council, board members, public servants from other branches of government including other municipalities and the public.

The Code of Conduct shall apply to all Town of Cobourg employees – full time, part time, contract, students, and volunteers. The Code of Conduct applies not just in the workplace but in all locations and at all times that employees are engaged in business activity or representing the Town, and when employees' activities are otherwise linked to their duties and responsibilities. This includes while in attendance at off-site conferences, seminars and team or office events, and/or within social media.

Annual Affirmation

Employees are responsible for reading, understanding, and complying with the Code of Conduct. All newly hired employees are required, as a condition of their employment with the Town of Cobourg, to complete and sign off on training for the Code of Conduct. This training will act as confirmation of acknowledgement of compliance with the Code of Conduct. Existing employees are to annually renew their affirmation, which confirms that the employee:

- (a) has read, understands and agrees to comply with the Code of Conduct; and
- (b) is not aware of any violation of the Code of Conduct.

If an employee has any questions about compliance with the Code of Conduct or is unsure about the appropriate or acceptable way to address a given situation, the employee should ask for guidance from their manager or Human Resources.

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Contraventions

Violations of the Code of Conduct will be taken seriously. The Town of Cobourg commits to investigate allegations of non-compliance or suspected non-compliance with the Code of Conduct and will take disciplinary action, up to and including dismissal, as appropriate. In addition, any breach of the Code of Conduct that violates the law may result in civil or criminal proceedings.

Policy

1. Employee Conduct

- a) All employees of the Town of Cobourg are required to perform their duties with integrity, honesty and impartiality and to conduct themselves, at all times, in a manner that respects the dignity and rights of others. All employees are required to act professionally and be polite when communicating with the public, other employees, Members of Council, board members as well as with public servants from other branches of government including other municipalities.
- b) Employees are expected to respect and promote the goals, objectives, as well as resolutions and policies of Council, senior management, and their department.
- c) All employees shall follow all Town of Cobourg corporately approved policies and procedures.
- d) The Town of Cobourg's Police Criminal Records Screening policy ([insert hyperlink](#)) states that all employees are obligated to immediately (within the following 24 hours) inform the Municipality if they have been charged, tried, convicted or involved in any way in a police investigated matter related to any offences under the Criminal Code or under other provincial or federal statutes.

As part of the Code of Conduct, all staff will be required to sign an annual attestation (written confirmation) stating that within the prior 12 months the individual has not been charged and/or convicted of a criminal offence. Upon every three years of service an updated criminal reference check will be conducted.

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2. Management Conduct

In addition to their responsibilities as employees, management has a special duty to uphold the Town's reputation. Management is expected to set an example through their own conduct and to encourage employees to ask questions, speak up and get advice before they act. Management must provide timely, sound advice and guidance on ethical or Code of Conduct compliance issues. Management must report potential violations of the Code of Conduct and policies contained within, to Senior Management or Human Resources without delay.

3. Staff/Council Relations

The Staff/Council Relations Policy as required under the Municipal Act shall govern the relationship between members of Council and members of employees. The purpose of this Policy is to provide guidance on how the Town of Cobourg maintains and promotes respectful, tolerant and harassment-free workplace between Members of Council and all Officers and Employees of the Town guided by the Code of Conduct for Members of Council and Local Boards, the Discrimination & Harassment-Free Workplace Policy, and the Procedural By-Law.

Employee reports must be clear, accurate, objective, comprehensive, and identify a full range of options for Council to consider. The risks associated with options must be clearly and fully presented. At no time should the fiscal impacts of any option be minimized by employees. Employee reports should list any lobbyist who has contacted them on the subject matter of the report. Every effort should be made by employees to ensure that each member of Council has the same information.

When a consultant provides services to the Town of Cobourg, employees are precluded from modifying in any way a consultant's report. Employees should not summarize or explain the findings of a consultant's report. Rather, a consultant should be available to speak to Council and respond to questions and issues that arise from the consultant's report.

Employees will be required to read, understand and comply with the Staff/Council Relations Policy on an annual basis.

4. Conflict of Interest

Avoiding conflicts of interest is one of the fundamental principles of ethical behaviour. A conflict of interest arises when an employee's direct or indirect personal interests

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interfere with, or might reasonably be seen by others to interfere with, their ability to make decisions and otherwise fulfill their employment duties in the interests of the Town. A direct personal interest exists when an employee has a potential for personal gain and an indirect personal interest exists when an employee's relative or a person with whom an employee has a close personal relationship has a potential for personal gain.

If faced with a situation where you could directly or indirectly benefit from a decision you make, you need to disclose your interest, in writing to your manager/director or Human Resources and remove yourself from the decision-making process. After you have disclosed an actual or potential conflict of interest, you need to avoid any involvement.

All employees must disclose all real or potential conflicts of interest by completing the Disclosure of Conflict of Interest or Potential Conflict of Interest Form ([insert link](#)). Employees must refrain from engaging in the situation or activity that gave rise to a declaration until they have received direction.

The Town of Cobourg encourages employees to become involved in their community, including participation in such things as community organizations, boards, advocacy groups, or charitable associations. It is our shared responsibility to prevent situations where the perception of a conflict of interest exists. If an employee wishes to be appointed to a position within an agency, board, or committee they will be required to complete the Disclosure of Conflict of Interest or Potential Conflict of Interest Form.

Basic principles of conduct require that employees not:

- engage in a business activity or have a financial interest in a business that is incompatible with the discharge of the employee's official duties;
- be under any obligation to any person who might benefit from special consideration or favour from the employee, or who might seek preferential treatment;
- give preferential treatment to relatives or persons with whom they have close personal relationship, or to organizations in which relatives or persons with whom they have a close personal relationship have an interest, financial or otherwise;
- benefit from the use of information acquired during the course of duties that is not generally available to the public; or
- engage in any outside work or activity that:

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- creates a conflict of interest;
- prevents employees from bringing their full energy, attention and commitment to their position with the Town of Cobourg;
- affects the employee's job performance at the Town of Cobourg, conflicts with is related to an employee's work or be contrary to the interests of the Town of Cobourg;
- interferes with the employee's performance of their duties or capacity to report for work or that might interfere or affect the performance of duties; and/or
- may give the employee an advantage or appear to have an advantage derived from their employment with the Town of Cobourg.

Lobbying

Lobbying at the municipal level is the communication with a public office holder or municipal employee by a person who is paid or represents a business or financial interest. The objective is to influence a legislative action, including the development, passage, amendment, or repeal of a bylaw, motion, resolution or outcome of a decision on any matter before Council, a Committee of Council, Council member, or municipal employees.

If an employee is lobbied, the individual will be required to disclose, in writing, the activity to their manager/director to ensure that it is properly recorded with the Town of Cobourg. Under no circumstances will gifts be accepted from a Lobbyist.

Gifts

The public's perception of the integrity of the Town of Cobourg and its employees is paramount. Employees must make impartial and objective decisions in performing their responsibilities free from influence derived from gifts, favours, hospitality or other benefits.

Employees shall refrain from engaging in any business or transaction; hiring or promotion; or accepting of gifts, favours, hospitality or other benefits if the employee has an interest, financial or otherwise, that could in any way influence impartiality or that is incompatible with the discharge of the employee's duties. The public interest shall take precedence over all other considerations, regardless of the conditions or circumstances. To promote transparency and accountability, employees will be expected to openly disclose to management all gifts and benefits received throughout the course of their duties.

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Employees shall not solicit, accept, or condone the solicitation or acceptance of, any gift, favour, hospitality or other benefits from any person or business, having dealings with the Town of Cobourg whereby the acceptance of such could in any way influence the impartiality of the discharge of their duties or those of other Town employees.

For greater clarity, gifts include, but are not limited to cash, gift certificates, meals, hospitality, entertainment, trips and/or benefit of any kind. No gifts will be accepted at any time that have a value greater than \$100.

5. Family and Personal Relationships (Nepotism)

It is recognized that some employees have personal and family relationships which may at times impact on the workplace. When job duties may conflict with family or close personal relationships, employees must ensure they do not compromise or threaten to compromise their ability to act in the best interests of the Corporation.

The Town of Cobourg's recruitment practices are built on the foundation that the Town hires and promotes the best candidate available for each employment opportunity – including full time, part time, temporary positions, and summer employment. Candidates are assessed on the basis of the skill, ability, qualifications, and experience they bring to the Corporation. The Town of Cobourg's Recruitment Policy ([insert hyperlink](#)) does not expressly prohibit employees' relatives or persons with whom they have a close personal relationship from working for the Corporation. However, the Town of Cobourg must ensure that employment-related decisions are undertaken in an objective and impartial manner.

To meet this expectation, employees must not:

- attempt to influence the outcome of the employment process, or to influence any Town of Cobourg employee to hire/promote a relative or person with whom they have a close personal relationship; and
- make any decision impacting on pay or benefits, or make any decision or participate in the process to hire, transfer or promote a relative or person with whom they have a close personal relationship.

An employee who is aware that a relative or person with whom they have a close personal relationship has the potential to be hired or assigned to a position that could result in a direct or indirect supervisory reporting relationship, or be in a position to influence the career or employment activities of such person, must advise Human Resources that a potential conflict exists. A "close personal relationship" is defined as a relationship wherein, you and the individual socialize on a regular basis and may be

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described as “part of your support network” or where you consider the individual to be “family” even though you are not related.

6. Use of Town Property and Assets

- a) Employees shall not use the Corporation's property, equipment, supplies or services for activities not associated with official duties unless approval has been granted by the employee's Division Director.
- b) Employees shall not use property or assets of the Town for personal gain or benefit.
- c) Employees are responsible for protecting and making proper and efficient use of the Corporation's physical, monetary and intellectual assets. This includes safeguarding assets from loss, damage, abuse, misuse, theft or destruction. Employees may not use or permit the use, directly or otherwise, of corporate property, assets and resources for anything other than officially approved Town of Cobourg activities.
- d) Employees are responsible for ensuring assets are used in accordance with approved policies and procedures. Employees authorized to work off-site are expected to apply due diligence in safeguarding the assets in their custody. Employees are responsible for returning all assets provided to them by the Corporation in good condition when leaving the Corporation.

7. Confidential Information

- a) Employees must secure all confidential information and keep it in the strictest of confidence. Employees may not use, divulge, diffuse, sell, transfer, give, circulate, distribute or otherwise make public any confidential information except as required by applicable law or in the performance of their duties as permitted by normal business protocols.
- b) Employees shall safeguard and protect any confidential information relating to the affairs, activities or employees of the Town. Employees shall not disclose or otherwise release confidential information without proper authorization. As a condition of employment, employees may be required to sign a confidentiality agreement related to corporate information.
- c) Employees, having left the employment of the Town, shall not use or cause to

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be used, for personal gain, any privileged or sensitive information gained or obtained by their employment. Sensitive information is defined as information that must be protected from unauthorized access to safeguard the privacy or security of an individual or organization.

8. Political Activity

- a) In order to minimize the potential for favouritism and a loss of impartiality, employees are strongly discouraged from direct involvement in the campaign of any candidate in a municipal election.
- b) Employee participation in federal or provincial political campaigns must not allow their involvement to affect their objectivity throughout the course of their regular employment duties.
- c) Should an employee wish to become a candidate in a municipal election, they may do so, provided that they complies with the requirements of the Municipal Act, 2001, the Municipal Elections Act, and any other relevant legislation.
 - i) As an employee of the Town of Cobourg, should you choose to run for office within the Town of Cobourg, you must take a leave of absence when you file your nomination. If you are elected to sit on the Town of Cobourg Council, you will be required to resign from your position with the Town of Cobourg.
 - ii) As an employee of the Town of Cobourg, should you choose to run for office within a different municipality, the requirement to take a leave of absence or resign will be reviewed by the Chief Administrative Officer.

9. Workplace Violence, Harassment & Discrimination

In accordance with the Town of Cobourg's corporate values, collective agreements and the *Ontario Human Rights Code* and the *Occupational Health and Safety Act*, the Corporation is committed to providing a workplace that is free from actual, attempted or threatened workplace violence, harassment or discrimination and create a climate of understanding, inclusion and mutual respect where each person feels a part of the workplace and is able to contribute fully to the development of the Corporation.

The Town of Cobourg will not tolerate, ignore or condone any form of workplace violence, harassment or discrimination and is committed to promoting appropriate

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standards of conduct at all times. All employees are responsible for respecting the dignity and rights of their co-workers and the public they serve. Employees shall respect the individual opinions of all colleagues. Where individual differences may occur, we seek to resolve them in a collaborative, respectful and productive manner. Rude, passive aggressive and/or insulting behaviour towards anyone is unacceptable, and will not be tolerated.

The Town of Cobourg will not tolerate violence, harassment or discrimination in the workplace or in venues which are extensions of the workplace, whether it involves employees or members of the public.

The Corporation has a Workplace Violence, Harassment & Discrimination policy ([insert hyperlink](#)) to address workplace violence, harassment and discrimination. The Policy forms part of the Code of Conduct and compliance with that Policy is mandatory.

10. Whistleblowing

If an employee becomes aware of a violation of the Code Conduct or another Town of Cobourg Policy or Procedure, they are to report the matter to their manager or Human Resources. No employee will be disciplined for making a report in good faith about a violation of the Code of Conduct or any other Town policy. The Town will also not tolerate any retaliation against any employee who has made such a complaint or participated in an investigation. An employee making frivolous or vexatious complaints will be subject to disciplinary action up to and including termination.

11. The Accessibility for Ontarians with Disabilities Act (AODA)

The *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)* is a provincial law with the goal to make Ontario accessible for persons with a broad range of disabilities by 2025. The AODA sets out a process for the development, implementation and enforcement of accessibility standards. The Town of Cobourg is legally required to operate in compliance with accessibility standards established by regulations passed under the AODA.

The Town of Cobourg is committed to identifying and meeting the needs of Persons with Disabilities and that all persons achieve accessibility standards as set out in the AODA, Canadian Charter of Rights and Freedoms, and the Ontario Human Rights Code. The Town of Cobourg is committed to service excellence and as such all

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employees are expected to be respectful of all customers whilst executing their duties ([insert link to accessibility policies](#)).

12. Substance Use and Abuse

All employees must be able to perform all of their workplace duties in a safe and productive manner. No employee will report to, return to or remain at work under the influence of alcohol, cannabis, medications, drugs or any illicit substance that would impair their ability on the job or endanger fellow employees or members of the public. If you are prescribed a drug, including medicinal cannabis, which may impair your ability to perform your duties safely, it is your responsibility to inform your manager, or Human Resources so that accommodation can be discussed.

Under no circumstances will alcohol, cannabis or non-medicinal drugs be consumed during the employee's hours of work, including lunch and break times and/or while receiving stand-by payments. Under no circumstances will alcohol, cannabis or non-medicinal drugs be consumed on the Town of Cobourg premises, in corporate vehicles or in personal vehicles when authorized for use in the course of Town business. Anyone with alcohol, cannabis or drug dependency is encouraged to seek treatment. Support can be accessed confidentially through the Employee and Family Assistance Program (EFAP) provided by Morneau Shepell at 1-844-880-9142. While the Town of Cobourg is committed to providing support and assistance in dealing with such dependency, anyone who is found to be under the influence of alcohol, cannabis or non-medicinal drugs may be subject to disciplinary action up to and including termination of employment.

Any employee reporting for work under the influence of alcohol or illicit drugs shall be subject to discipline under the Corporation **Code of Discipline Policy and Procedures #2-20 HR-AP-A10 & A10.1**.

13. Professionalism

The Town of Cobourg identifies professionalism as a core value, critical to its business success and reputation. Professionalism is conveyed not only by the depth of knowledge displayed by employees but also by how they present themselves and how they behave.

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Employees interact with other employees, Members of Council, board members, and the public on a daily basis. Employees must be courteous and professional in all of these interactions.

14. Health and Safety

Employees shall work in accordance with all Health and Safety policies and practices, as well as the *Occupational Health and Safety Act*, so as not to cause injury or harm to themselves, fellow employees or the public. All employees must immediately report any health hazards and unsafe conditions or practices to supervisors or managers for corrective action.

15. Severability

The provisions of the Code of Conduct are severable and if any provision, section or word is held invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

Scope

This Policy shall apply to all employees of the Town of Cobourg.

Administration

The Chief Administrative Officer shall implement and administer the terms of this policy and shall establish related operating procedures as required.

Cross Reference

Policy #2-20 HR-AP-A4	All Personnel – Admin - Confidentiality
Policy #2-20 HR-AP-A5	All Personnel – Admin – Police Criminal Records Screening
Policy #2-20 HR-AP-A6	All Personnel – Admin - Social Media “Netiquette”
Policy #2-20 HR-AP-A7	All Personnel – Admin - Electronic Communication Equipment Usage

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Policy #2-20 HR-AP-A10	All Personnel – Admin - Code of Discipline
Policy #3-1 LEG-ADM23	Staff/Council Relations
Procedure #2-20 HR-AP-A6.1	All Personnel – Admin – Social Media “Netiquette”
Procedure #2-20 HR-AP-A7.1	All Personnel – Admin –Electronic Communication Equipment Usage
Procedure #2-20 HR-AP-A7.2	All Personnel – Admin –Computer Use
Procedure #2-20 HR-AP-A7.3	All Personnel – Admin –Hand Held Devices Usage
Procedure #2-20 HR-AP-A10.1	All Personnel – Code of Discipline
Procedure #2-20 HR-AP-A11.1	All Personnel – Code of Conduct