

**MUNICIPAL EMPLOYEE CODE OF CONDUCT**  
**NORTHERN VILLAGE OF SANDY BAY**  
**MUNICIPAL EMPLOYEE CODE OF CONDUCT**

**PRINCIPLES:**

Our employees must observe the highest standards of conduct in the performance of their duties, regardless of personal consideration. Employees must avoid situations in which their personal interests' conflict, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Employees must not engage in any conduct or activity that contravenes our by-laws, policies or any law in force in Saskatchewan or Canada which might:

- detrimentally affect the municipality's reputation;
- make the employee unable to properly perform his or her employment responsibilities;
- cause other employees to refuse or be reluctant to work with the employee; or
- otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

**PURPOSE:**

This Code of Conduct is intended to:

- provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- protect the public interest;
- promote high ethical standards among municipal employees;
- provide a means for municipal employees to obtain authorization for conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct; and
- set out the corrective measures for unethical conduct. Actions to be taken by the municipality if an employee fails to disclose a conflict or potential conflict may include but not limited to the following:
  - disciplinary letter, copy to be placed in the employee's file;
  - employee training (ethics);
  - short-term suspension;
  - long-term suspension; or
  - termination

**CONSEQUENCES OF NON-COMPLIANCE:**

Any breach of this policy will be treated as a misconduct. The Northern Village of Sandy Bay will take corrective action in response to any infraction or transgression of this policy. Misconduct will be

reviewed and may result in disciplinary action being taken against the employee up to and including dismissal from employment, seeking restitution, commencement of civil action, criminal prosecution, instructing the employee to divest themselves of the outside interest, transferring the employee to another position or any combination thereof. An employee, who is reasonably suspected to have committed an illegal act or a breach of Northern Village of Sandy Bay's policy, may be suspended from employment without pay where further date gathering or fact finding is required.

**LOYALTY:**

Municipal employees have a duty of loyalty to the Northern Village of Sandy Bay as their employer. They must act honestly and in good faith and place the interests of the employer ahead of their own private interests while at work.

**CONFIDENTIALITY:**

Every municipal employee must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the municipality. Confidential information means information that is not part of the public domain and information designated by council as confidential, such as personal information, internal policies, items under any legal proceeding, etc. Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information that is obtained as a result of his or her employment and that is not available to the public to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

**USE OF INFLUENCE:**

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 the Code of Conduct for an employee to use his or her position to seek to influence a decision of another person so as to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

**PROCEDURES:**

Employees are expected to read and comply with the Code of Conduct. Employees have a responsibility to request an interpretation of the Code from the municipality's senior administrative official (the Administrator) if they are unsure whether their behavior, circumstances, or interests contravene the Code.

Where an employee suspects that he or she is, or may potentially be, in conflict with any of the provisions of the Code, the employee must disclose the conflict or potential conflict in writing, to:

- his or her direct supervisor, in the case of any employee; or the supervisor must immediately advise the Administrator.
- Council or the Personnel Committee in the case of the Administrator.

The disclosure should include a detailed description of the conflict or potential conflict. Where a disclosure is made, the matter will be treated seriously and in confidence. The supervisor or Administrator must review the disclosure within five (5) business days, from the date the disclosure is made, and determine an appropriate course of action to address the actual or potential conflict.

**CONFLICT OF INTEREST:**

A Conflict of Interest occurs when an employee's private affairs or financial interests are in conflict, or could result in perception of conflict, with the employee's duties or responsibilities in such a way that;

- the employee's ability to act in the public interest could be impaired; or
- the employee's action or conduct could undermine or compromise the public's confidence in the employee's ability to discharge work responsibilities or the trust that the public places in the Northern Village of Sandy Bay.

Employees who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter to their supervisor or Administrator. Examples of conflicts of interest include, but are not limited to, the following:

- An employee uses Northern Village of Sandy Bay vehicles or assets for personal use outside the performance of their duties without proper authorization by a Supervisor or Administrator;
- An employee uses Northern Village of Sandy Bay property or equipment or the employee's position, office or organizational affiliation to pursue personal interests or the interest of another organization;
- An employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- An employee, in the performance of official duties, gives preferential treatment to an individual, corporation, or organization including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, a Northern Village of Sandy Bay transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approval, appointments, etc);
- An employee accepts from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of employment in the Northern Village of Sandy Bay, other than:
  - The exchange of hospitality between persons doing business together;
  - Tokens exchanged as part of protocol;
  - Prizes randomly drawn for at any Village-sanctioned event;
  - The normal presentation of gifts to persons participating in public functions; or
  - The normal exchange of gifts between friends.

The following four criteria, when taken together, are intended to guide the judgment of employees who are considering the acceptance of a gift:

1. The benefit is of nominal value (i.e. under \$100.00);
2. The exchange creates no obligation;
3. Reciprocation is easy; and
4. It occurs infrequently.

**ALLEGATIONS OF WRONGDOING:**

Employees have a duty to report any situation that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety, or a significant danger to the environment. Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the Freedom of Information and Protection of Privacy Act).

Employees will not be subject to discipline or reprisal for bringing forward, in good faith, allegations of wrongdoing in accordance with this policy statement.

**WORKING RELATIONSHIPS:**

Employees involved in a personal relationship outside work which compromises objectivity, or the perception of objectivity, should avoid being placed in a direct reporting relationship to one another. For example, employees who are direct relatives or who permanently reside together, may not be employed in situations where;

- a reporting relationship exists where one employee has influence, input, or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work, and similar matters.

**POLITICAL ACTIVITY:**

The Northern Village of Sandy Bay recognizes the right of all employees to participate in a personal capacity in political, trade union or professional association activity. At the same time, employees must be and appear to be politically neutral in their official employment duties in order to sustain public trust in local government. Employees should recognize that political activity can give rise to perceived conflicts of interest.

**Municipal Elections** – Entitles civic officials and employees to a leave of absence without pay to run as candidates in municipal elections. Upon election, the employee must resign from the Northern Village of Sandy Bay.

**Federal and Provincial Elections** – An employee will be entitled to a leave of absence without pay during candidature for a provincial or federal election or by-election. Upon election, the employee must resign from the civic service unless a reasonable unpaid leave of absence is authorize by Council. During the leave of absence, the employee will not be entitled to any union-related benefits or to participate in the Municipal Employees Pension Program. Upon return to the Northern Village of Sandy Bay, if the employee chooses to buy back any MEPP service, she/he will be required to pay the employer and

employee contributions. An employee who is not elected will be entitled to return to the same or similar employment effective the day after the election.

See the following: Northern Municipalities Act 2010, The Local Government Election Act and The Saskatchewan Employment Act.

### **Local Elections:**

#### ***Northern Municipalities Act 2010 Section 128***

No member of Council is eligible to be appointed as an employee of the municipality or of any committee or controlled corporation of the municipality in which he or she serves as a member of Council.

#### ***Northern Municipalities Act 2010 Section 161***

Pecuniary interest

- (2) A member of council does not have a financial interest interest by reason only of any interest:
- (h) that the member or a closely connected person may have:
    - (i) by being appointed as the volunteer chief or other volunteer officer of a fire or ambulance service or emergency measures organization or other volunteer organization or service; or
    - (ii) by reason of remuneration received as a volunteer member of any of those voluntary organizations or services;

#### ***Local Government Election Act:***

Disqualification

- 26.1 (3) The following persons may seek nomination to the council, board or joint board with which the person is employed if the person has first obtained a leave of absence in accordance with section 2-54 of *The Saskatchewan Employment Act*:
- (a) an employee of a municipality;
  - (b) an employee of a board or commission appointed by a council;
  - (c) an employee of a board of education;
  - (d) an employee of a joint board, as defined in *The Education Act* or *The Education Act, 1995*.
- (4) Notwithstanding section 2-54 of *The Saskatchewan Employment Act*, an employee described in subsection (3) who is elected is deemed to have resigned from his or her position of employment on the day before the day on which he or she is declared elected unless for any reason the results of the election are overturned.

### **Local, Provincial and Federal Elections:**

#### ***Saskatchewan Employment Act:***

Nomination, candidate and public office leave

- 2-54 (1) An employee is entitled to a leave:

- (a) to seek nomination as a candidate for a municipal, provincial or federal election or an election for a board of education or the Conseil scolaire fransaskois, for a reasonable period;
  - (b) to be a candidate for a municipal, provincial or federal election or an election for a board of education or the Conseil scolaire fransaskois, for a reasonable period; or
  - (c) if the employee has been elected to a municipal, provincial or federal government or a board of education or the Conseil scolaire fransaskois, for the period during the employee's term of office that may be necessary.
- (2) Subsection 2-48 (2) applies to an employee on a leave pursuant to subsection (1) for a maximum of 52 weeks.

### **OUTSIDE REMUNERATIVE AND VOLUNTEER WORK:**

Aside from their position with the Northern Village of Sandy Bay, employee may hold jobs outside employment, carry on a business, or engage in volunteer activities provided it does not:

- Interfere with the performance of their duties as a Northern Village of Sandy Bay employee;
- Bring the organization into disrepute;
- Represent a conflict of interest or create the reasonable perception of a conflict of interest;
- Appear to be an official act or to represent Northern Village of Sandy Bay opinion or policy;
- Involve the unauthorized use of work time or Northern Village of Sandy Bay premises, services, equipment or supplies.

Employees wishing to undertake outside employment may wish to inform his/her Supervisor or Administrator of this matter to determine if a conflict exists.

### **Outside Interests**

Employees will avoid involvement in outside interests that conflict with their Northern Village of Sandy Bay duties.

### **Guiding Principles:**

Mutual trust is one of the fundamental components of the Northern Village of Sandy Bay's relationship with employees. This relationship carries with it certain expectations and responsibilities of both parties as it relates to outside interests. The Northern Village of Sandy Bay encourages its employees to undertake the responsibilities of service and citizenship in their communities, but not to make use of the Northern Village of Sandy Bay time or resources for such activities without the prior agreement of their Supervisor or Administrator. The Northern Village of Sandy Bay also requires that employee govern their outside interests to ensure that they are capable of providing full commitment to the Northern Village of Sandy Bay, without providing an opportunity for a conflict of interest. For the purpose of this policy, outside interests include, but are not limited to, such activities as secondary employment, business undertakings, teachings and involvement with charitable, political, community service and professional organizations. Without restricting the generality of the above, a conflict exists when:

- (a) The employee’s ability and/or judgement is influenced by their own interests or those of a third party against the best interests of the Northern Village of Sandy Bay.
- (b) The outside interest interferes with or interrupts the employee’s ability to perform civic duties.
- (c) An employee uses the Northern Village of Sandy Bay assets for purposes related to the outside interest, without authorization.
- (d) The outside interest involves the performance of work that must be inspected or approved by another civic employee where a conflict of interest or preferential treatment exists.
- (e) The outside interest is performed in such a way as to appear to be an official act or to represent an opinion or policy of the Northern Village of Sandy Bay.
- (f) The outside interest involves activities offered on a commercial basis by the Northern Village of Sandy Bay that competes with services offered by the Northern Village of Sandy Bay.
- (g) An employee gains unfair advantage over other persons in obtaining contracts with the Northern Village or parties conducting business with the Northern Village of Sandy Bay.
- (h) An employee’s actions in their Northern Village of Sandy Bay role affects or appears to affect the interests of their supplemental employers or private clients in such a way as to enhance the private interests of the employee.
- (i) An employee receives additional compensation for performing their Northern Village of Sandy Bay duties from parties external to the Northern Village of Sandy Bay, except as part of an employment contract as approved by Council.
- (j) An employee’s performance of the Northern Village of Sandy Bay duties is influenced by offers of future employment.

**Example of Outside Interest:**

Through his/her employment with the Northern Village of Sandy Bay an employee becomes aware of possible work with parties conducting business with the Northern Village of Sandy Bay that is otherwise unpublicized or not tendered. If the employee was awarded the supplemental work, it could appear that he/she had an unfair advantage over others.

**Employee Name (Print):** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**I have read and understand this document in its Entirety**

**Witness:** \_\_\_\_\_