

**BYLAW NO. 2-2016**

**A BYLAW TO ESTABLISH MUNICIPAL EMPLOYEE CODE OF CONDUCT**

The Council of the Rural Municipality of Winslow No. 319, in the Province of Saskatchewan, enacts as follows:

1. Pursuant to Section 111.1 of *The Municipalities Act*, council is required to establish an employee code of conduct.
2. On the terms and conditions set out in the attached documentation marked as Exhibit A.
3. This bylaw shall come into effect on January 20, 2016.



  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
Administrator

*Certified a true copy of  
Bylaw No. 2-2016 passed  
by resolution of council  
on Wednesday, January 20, 2016.*

*Regan MacDonald  
Administrator*



**RURAL MUNICIPALITY OF WINSLOW NO. 319**

**MUNICIPAL EMPLOYEE CODE OF CONDUCT**

**EXHIBIT A**

**PRINCIPLES:**

Employees of the Rural Municipality of Winslow No. 319 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 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.

Employees must not engage in any conduct or activity that contravenes the municipality's by-laws or any law in force in Saskatchewan which might:

- Detrimentially 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.

## **DEFINITIONS:**

“Municipality” – means the Rural Municipality of Winslow No. 319

“Municipal Employee” - includes all employees of the Rural Municipality of Winslow No. 319.

“Public Comment” – disclosures made in a public speech, lecture, radio or television broadcast, in the press or book form.

“Confidential Information” – while the classification of information as "confidential" is a matter of administrative discretion whether labeled as confidential or not, disclosure of information will not constitute a breach of the Code of Conduct unless that information is of an inherently confidential nature such as:

- a) personal data of employees or others;
- b) records related to internal policies and practices which, if disclosed, may prejudice the effective performance of a municipal operation;
- c) records of a financial nature reflecting information given or accumulated in confidence;
- d) files prepared in connection with litigation and adjudicative proceedings;
- e) reports of consultants, policy drafts and internal communications which, if disclosed, may prejudice the effective operation of a municipal operation or impugn the reputation of any person;
- f) any report prepared for Council is to be released only by Council; and
- g) information regarding the acquisition or disposal of land.

## **RESPONSIBILITIES:**

### **Employees of the municipality:**

- 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.
- Disclose a conflict or potential conflict
- Shall not use his or her position with the municipality to influence a decision of another person so as to further his or her private interests or those of his or her family.
- Perform all duties and obligations in line with municipal policies and procedures.
- Perform his or her duties in an impartial manner.
- Carry out all duties and obligations as instructed to do so by a member of Council or superior co-worker.

- Employees may accept a gift made because of employee's involvement in the Rural Municipality of Winslow No. 319 in the following circumstances:
  - 1) the gift has no more than token value
  - 2) it is the normal exchange of hospitality or a customary gesture of courtesy between persons doing business together;
  - 3) the exchange is lawful and in accordance with local ethical practice and standards, and
  - 4) the gift could not be construed by an impartial observer as a bribe, pay off or improper or illegal payment.
- Employees shall not use the Rural Municipality of Winslow No. 319 property to make a gift, charitable donation or political contribution to anyone on behalf of the municipality. Any gift must have the authorization of the Council or a person the Council designates.
- Shall not use municipal owned equipment; including but not limited to tools, vehicles, implements, municipal office and/or shop space for personal gain.

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.

Any employee that wishes to seek nomination to the Rural Municipality of Winslow No. 319 council must first obtain a leave of absence as per The Local Government Election *Act* section 26.1(3)

#### **PROCEDURES:**

Employees are expected to comply with the Code of Conduct. Employees have a responsibility to request an interpretation of the Code from the municipal council 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 in the case of the Administrator, or the Foreman

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 council) must review the disclosure within ten (10) business days, from the date the disclosure is made, and determine an appropriate course of action to address the actual or potential conflict.

Complaints or inquiries concerning the ethical conduct of any municipal employee shall be made in writing to the supervisor. Complaints regarding the Administrator or the Foreman shall be addressed to the municipal council and in this case, council shall investigate.

A summary of any written or oral complaint received is to be sent immediately to the employee in question with a request to provide a response.

All complaints or inquiries concerning the conduct of a municipal employee shall be investigated.

All findings of the investigation, including the course of action to be taken, shall be summarized in written form and sent to the employee in question.

#### **CONTRAVENTIONS AND CORRECTIVE DISCIPLINE POLICY:**

Where the employer determines the conduct referred to does breach the Code of Conduct, the council may:

- Take disciplinary action against the employee, up to and including dismissal from employment, seeking restitution, commencement of civil action, criminal prosecution, instructing the employee to divert himself/herself of the outside interest immediately, instructing the employee to cease and desist from the actions which are to be found in conflict, transferring the employee to another position or any combination thereof.
- Any action taken by the employer will be made in writing and a copy to be placed in the employee's file.

#### **CODE OF CONDUCT DECLARATION**

I \_\_\_\_\_ (please print) have read, understand and agree to abide by the Code of Conduct of the Rural Municipality of Winslow No. 319 and I understand that such adherence is a condition of my employment. I understand that a violation of the Code of Conduct may be grounds for termination.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(Employee)