

# TOWN OF MULGRAVE POLICY AND PROCEDURES MANUAL

## SECTION D: HUMAN RESOURCES

### D-18 Code of Ethics Policy

Category: Human Resources  
Policy Number: D-18  
Effective Date: May 4, 2009  
Approval by Council: May 4, 2009  
Supersedes: N/A  
Amended: N/A

It is the policy of the Town of Mulgrave to ensure that Town employees:

- a) are aware of what constitutes a conflict of interest or breach of trust
- b) are aware of the level of conduct and integrity which is expected of Town employees

#### 1.0 Specific Objectives

The objectives of this policy are to:

- a) provide Town of Mulgrave employees with guidelines for identifying potential conflicts of interest and breaches of trust
- b) help ensure that Town of Mulgrave employees do not place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust
- c) promote high standards of professional conduct and values among Town employees

#### 2.0 Responsibilities

2.1 The Council (or its designated committee) will:

- a) review the Town's *Code of Ethics Policy* as required and make any amendments considered appropriate
- b) review, consider or take other action concerning any violation of the Town's *Code of Ethics Policy* which is referred to Council by the Chief Administrative Officer, or raised by a member of Council during the course of Council discussions

2.2 The Chief Administrative Officer (or designate) will:

- a) implement, administer and promote the *Code of Ethics Policy*
  - b) ensure that department heads promote the ethical standards expressed within the *Code of Ethics Policy* to their employees
  - c) recommend amendments to the *Code of Ethics Policy* to Council
  - d) investigate and review any reported violation of the *Code of Ethics Policy* and approve and/or administer any subsequent corrective action
- 2.3 Department heads will:
- a) ensure that all employees of their department are familiar with the Town's *Code of Ethics Policy*
  - b) advise the Chief Administrative Officer of any perceived violation of the *Code of Ethics Policy* by a member of staff, and institute appropriate preventative or corrective action
  - c) recommend to the Chief Administrative Officer any changes to the *Code of Ethics Policy* which are considered appropriate

### 3.0 Responsibilities of Town Employees and Officials

- a) Town of Mulgrave employees and public officials are agents of the public whose primary objective is to address the needs of the citizens. As such, they are entrusted with upholding and adhering to the by-laws of the Town as well as all applicable federal and provincial laws. As public servants, they must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.
- b) **Dedicated Service:** All officials and employees of the Town of Mulgrave should faithfully work towards developing programs to address the needs of its citizens. In the course of their duties, officials and employees should strive to perform at a level which is expected of those who work in the public's interest.
- c) Employees should not exceed their authority, breach the law, or ask others to do so, and should work in full co-operation with other public officials and employees, unless prohibited from doing so by law or by formally recognized rules of confidentiality.
- d) **Soliciting Appointments:** Soliciting members of Council directly or indirectly in order to obtain preferential consideration in connection with any appointment to the Town's service will disqualify the candidate from further consideration for the appointment.

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- e) **Dress Code:** The Town of Mulgrave maintains a business casual working environment. Each Friday, employees shall participate in a casual day pending a donation of \$1 or a non-perishable food item to the local food bank. Employees should use discretion in wearing attire that is appropriate for the office and interaction with the public. Employees should speak to the CAO if they have any questions regarding appropriate office attire.
- f) **Use of Public Property:** No employee will request or permit the use of Town-owned vehicles, equipment, materials, or property for personal convenience or profit.
- g) **Return of Town Property** - Upon ceasing to be an employee of the Town of Mulgrave, employees will agree to return to the Town any materials or documentation that they may have in their possession.
- h) **Telephone and Computer Use:** The Town understands that when employees work during the week it is occasionally necessary to conduct personal business during office hours. However, employees should limit their personal use of the telephone and computer during office hours. Employees should speak to the CAO if they have any questions as to how much is too much time. Because telephone and e-mail systems are provided by the Town at its expense for business use, all messages sent by or received on those systems are Town documents. The Town reserves the right to access and to disclose the messages that you send or receive on the voice-mail or e-mail systems. Employees should also be aware that "deleted" messages from the computer screen may not actually be deleted from the e-mail system.
- i) **Obligations to Citizens:** No employee will grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.
- j) **Conflict of Interest:** No employee, whether paid or otherwise, will engage in any business transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties or would impair their independence of judgment or action in the performance of their official duties. Personal interest, rather than financial, includes any interest arising from family or marriage relationships or close business or political associations. Over and above the provisions below, employees shall follow the provisions of Conflict of Interest found within the Municipal Government Act of Nova Scotia. The following are situations which constitute conflicts of interest for Municipal employees:
- **Incompatible Employment:** No employee will engage in or accept private employment or render services for private interests when such employment or services are incompatible with the proper discharge of their official duties or would impair his/her independence of judgment or action in the performance of his/her official duties.
  - **Disclosure of Confidential Information:** No employee will, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Town of Mulgrave; nor will he/she use such information to advance the financial or personal interest of him/her or others.

Employees acknowledge that in the course of carrying out their responsibilities with the Town, they will gain knowledge and be entrusted with detailed confidential information concerning the business of the Town of Mulgrave, its employees and its clients, the disclosure of which would be highly detrimental to their interests. Employees will agree to treat confidentially, all information received during the course of their employment.

- **Gifts and Favours:** In keeping with established private-public business practices, no employee will show favouritism or bias toward any vendor, contractor, or others doing business with the Town. Employees are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality that would tend to influence them in the proper discharge of their official duties.
- **Representing Private Interests before a Town Agency:** No employee whose salary is paid in whole or in part by the Town of Mulgrave will appear on behalf of private interests before any agency or court of the Town without the consent of the Chief Administrative Officer. The employee will not represent private interests in any action or proceeding against the interests of the Town or in any litigation to which the Town is a party. Furthermore, no employee will accept compensation or a retainer, which is conditional upon the actions of a Town agency.
- **Contracts with the Town:** No officer, agent or employee of the Town will have any interest, direct or indirect, in any legal Town contract issued by him/her or by any public committee, board, commission or department of which they are a member, agent, or employee.

However, an officer, agent, or employee of the Town may enter into a legal contract with the Town or any agency thereof for the sale and purchase of supplies, materials, or equipment or for the construction of public improvements if:

- they are not authorized by law to act on behalf of the Town or any agent thereof in the awarding of the contract
- the tender is let in a written, public, and openly competitive manner
- all bids received and all documents pertaining to the awarding of the contract are made available for public inspection for at least three (3) months following the date of the awarding of the contract

- h) **Disclosure of Interest:** Any Town employee who has a financial or personal interest in any proposed Council legislation, and who participates in discussion with or gives an official opinion to Council, will disclose on the records of Council the nature and extent of the interest.
- i) **Political Activity:** No employee of the Town will perform work, either volunteer or paid, on behalf of any political party or candidate during his/her hours of employment with the Town of Mulgrave.

**4.0 Reporting Breaches of this Code**

Employees who have reason to believe that this *Code of Ethics Policy* has been breached in any way are encouraged to bring their concerns to the Chief Administrative Officer or Town Council. No adverse action will be taken against any employee who, acting in good faith, brings forward such information.

**5.0 Corrective Action**

Violation of this *Code of Ethics Policy* by a Town employee may constitute a cause for corrective action (see *Employment Conduct Policy #D-19*). Any reported violation of this policy will be subject to investigation by the Chief Administrative Officer and/or Council. If an investigation finds an employee guilty of a breach of the *Code of Ethics Policy*, the corrective action pursued against the employee will be commensurate with the nature and severity of the violation.

**6.0 General**

When administering this policy, employees must adhere to the Municipal Government Act (MGA) or any other Provincial Acts governing the Town and all relevant legislation pertaining to the subjects covered in this policy. The administration of this policy is further subject to the provisions of applicable collective agreements for unionized Town employees.

**Certification for Town of Mulgrave Policy & Procedures Manual:**

Date of notice to Council Members of Intent to Consider [7 Day minimum]:

April 27<sup>th</sup>, 2009

Date of Passage of Current Policy:

May 4<sup>th</sup>, 2009

I certify that this "*Code of Ethics Policy*" was adopted by Council as indicated above.

Jeff Attkens  
Municipal Clerk

May 4<sup>th</sup>, 2009  
Date