

CORPORATE POLICY

POLICY TITLE: EMPLOYEE CODE OF CONDUCT

POLICY NO.: 13.A.02

Section:	Human Resources		
Effective Date:	November 20, 2018	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Administration	Policy Owner: DCM, Corporate Services & CFO		

POLICY STATEMENT

The Code of Conduct will be made available to all employees by providing it at the time of employee onboarding and orientation, by inclusion in the New Employee Handbook, and by making it available and accessible on the City’s intranet.

In addition, employees shall be required to acknowledge and sign-off on the Code of Conduct on a yearly basis and/or from time to time as necessary.

PURPOSE

The City of Vaughan expects its employees to conduct themselves in an ethical manner that reflects the City’s commitment to the principles of honesty, transparency, integrity, trustworthiness, objectivity, diligence and professionalism in delivering services to the public and in their interactions within the workplace. This Code of Conduct is consistent with the City’s values of Respect, Accountability and Dedication.

City employees must follow standards of ethical and professional behaviour in the course of their work to ensure that public confidence and trust is maintained. This Code of Conduct establishes expectations for ethical conduct and establishes standards designed to promote and protect the public interests and enhance public confidence and trust in the integrity, objectivity and impartiality of the City and its employees.

SCOPE

This policy applies to all employees of the Corporation of the City of Vaughan and includes:

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1. All full time and part time employees
2. All permanent, contract, seasonal and temporary employees
3. All students and interns
4. All volunteers

LEGISLATIVE REQUIREMENTS

1. Municipal Freedom of Information and Protection of Privacy Act
2. Occupational Health and Safety Act

DEFINITIONS

1. **City Property:** All real property, land, buildings, city vehicles, equipment, materials, supplies, technology resources, hardware, software, communications devices, intellectual property, and documents including electronic versions thereof.
2. **City Vehicle:** City vehicles are as defined in the City's Fleet Policy.
3. **Confidentiality:** Ensuring information, documents and materials are maintained confidential and accessible only to those authorized to have access.
4. **Conflict of Interest:** A situation in which private or personal considerations, including pecuniary interests and personal interests, could affect an employee's judgment in acting in the best interests of the City and the public's interest.
5. **Ethical Behaviour:** The application of moral principles, standards of behaviour, and a set of values regarding proper conduct in the workplace. This includes the principles of conduct governing the City's employees based on honesty, transparency, integrity, trustworthiness, objectivity, diligence and professionalism and consistent with the City's values of Respect, Accountability and Dedication.
6. **Fraud or Fraudulent Activity:** Wrongful or criminal deception intended to result in personal or financial gain. May include intentional perversion of truth in order to induce another to part with something of value or surrender a legal right. Also includes the act of deceiving or misrepresenting.
7. **Lobbying / Lobbyist Registry:** The Lobbyist Registry ensures that all City business is open and transparent, that businesses are treated fairly and that citizens have access to their local leaders. The registry tracks communication between public officials and people or businesses that have the intention to effect changes to legislation, regulations, programs or services.
8. **Nominal Value:** Goods or services with a face value of less the \$50.

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9. Pecuniary Interests: Interests that have a direct or indirect financial impact and include any matter in which an employee has a financial interest, or in which an employee is a shareholder, director or senior officer or holds controlling interest in a corporation and that corporation has a financial interest, or in which the employee is a partner of a person or is in the employment of a person that has a financial interest, or in which a parent, spouse, same sex partner or child of an employee has a financial interest, if known to the employee.

10. Personal Interests: Involves forms of advantage other than financial such as seeking employment, an appointment, promotion or transfer with the corporation on behalf of a family member.

11. Political Activity: Includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, promoting a political party or cause.

POLICY

The City of Vaughan strives to protect its employees, vendors, customers, citizens, and the public from any illegal, unethical, fraudulent or damaging actions committed by employees, either knowingly or unknowingly.

All City of Vaughan employees are required to comply with this policy and be aware of the policies, procedures, laws, and regulations that affect their job. While this Code of Conduct cannot cover every situation, employees of the City of Vaughan are expected to exercise sound judgment and contact their supervisor for clarification or advice when uncertain.

1. Employees are expected to conduct themselves based on the following standards:

1.1. Respect

1.1.1. Work together respectfully to promote a workplace based on trust, honesty, safety, integrity, transparency, accountability, and openness.

1.1.2. Be fair and civil and operate in a climate of mutual respect and understanding.

1.1.3. Not manipulate or conceal information.

1.1.4. Not abuse authority, use intimidation, fear or retaliation in the workplace.

1.1.5. Treat the public with diplomacy, tact, objectivity, fairness and respect and recognize that public contact affects the municipality's public image.

1.1.6. Contribute to a safe and healthy workplace free of discrimination, harassment, sexual harassment, violence and sexual violence.

1.2. Integrity

1.2.1. Act at all times with integrity and in a manner that will bear the closest public scrutiny.

1.2.2. Never use one's official role or position to inappropriately obtain an advantage for themselves or to advantage or disadvantage others.

1.2.3. Take all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between their official responsibilities and their private affairs in favour of the public interest.

2. Stewardship

2.1.1. Effectively and efficiently use all City resources, public funds, and property for the intended purposes.

2.1.2. Not engage in fraud, theft or fraudulent activities.

2.1.3. Establish processes and procedures to effectively safeguard City resources from abuse, theft, or harm.

2.1.4. Consider the current and long-term effects that the employee's actions have on the public, the environment and the reputation of the City of Vaughan.

2.2. Confidentiality

2.2.1. Ensure that information is appropriately collected, stored, disclosed, provided or shared only to those entitled to it.

2.2.2. Not inappropriately disclose (by any means), share, or otherwise abuse confidential or privileged information.

2.2.3. Maintain confidentiality of information both during employment and after departing the organization.

2.2.4. Not intentionally misrepresent information or facts.

2.2.5. By virtue of their position with the City of Vaughan, employees shall not use information for personal or private gain or for the gain of friends,

relatives or any person or corporation having dealings with the City of Vaughan.

3. Conflict of Interest:

- 3.1. A conflict of interest arises when an employee's personal interests conflict with his/her duties and responsibilities as an employee of the City. A conflict of interest can exist whether or not a pecuniary advantage has been or may have been conferred on an employee.
- 3.2. Employees shall not engage in any business transactions or have financial or other personal interests which are inconsistent with the impartial discharge of their civic duties.
- 3.3. Employees shall not extend, in the discharge of their official duties, preferential treatment to relatives, friends, organizations or groups in which they or their relatives or friends have a pecuniary interest.
- 3.4. Employees shall not gain personal benefit, directly or indirectly, from any agreement or contract with the City about which they can influence decisions or affect the outcome.
- 3.5. Employees shall not gain personal benefit, or permit others to benefit, from the access to information acquired in their official capacity which is not generally available to the public through ordinary and proper channels.
- 3.6. Employees are to inform their supervisor that they are unable to act on a matter in which there is a real or apparent conflict of interest.
- 3.7. Disclose to the Deputy City Manager or City Manager in writing in a timely manner, any matter in which there is a real or apparent conflict of interest.
- 3.8. Not participate in the analysis of information or make decisions on an issue or matter in which there is a real or apparent conflict of interest.
- 3.9. Decline employment, including self-employment, from an outside interest that is either incompatible with or in conflict with the employee's official duties for the City of Vaughan.
- 3.10. Do not provide preferential treatment and avoid the appearance of preferential treatment by adhering to established procedures.
- 3.11. Adhere to the requirements of the Lobbyist Code of Conduct and declare any interests as a lobbyist and register accordingly.

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4. Accountability

- 4.1. Not perform work that is unrelated to the City of Vaughan business during the employee's business hours.
- 4.2. Use City information, property, and assets for activities associated with the discharge of the employee's duties. It is recognized that occasional personal use of devices, phones and computers can occur, provided such use does not interfere with normal business operations or productivity, and the employee is personally responsible for any consequential or additional costs. Such use will not be for illicit, illegal or immoral or disrespectful purposes.
- 4.3. Use all City vehicles, equipment, and materials with due care and safety.
- 4.4. Operate City vehicles (as defined by the City of Vaughan Fleet Policy) or equipment in accordance with the Fleet Policy and applicable Health and Safety requirements.
- 4.5. Keep individual political activities separate from the business of the City of Vaughan including not engaging in any political activities at the workplace, during working hours or using City property.
- 4.6. Comply with applicable corporate policies and procedures, laws and regulations including but not limited to:
 - 4.6.1. Maintaining a safe and healthy work environment
 - 4.6.2. Promoting a respectful workplace that is free from discrimination, harassment, sexual harassment, violence, and sexual violence in accordance with the City's Respectful Workplace Policy and the Violence in the Workplace Policy
 - 4.6.3. Comply with the *Municipal Act* if the employee wishes to run as a candidate in a municipal election

5. Impairment

- 5.1. Abide by applicable laws, regulations and policies governing the possession or use of alcohol, cannabis, illicit drugs or medications and ensure that job performance is not adversely affected.
- 5.2. The employee must not be impaired by the use of alcohol, cannabis, medication (prescribed or non-prescribed), or illicit drugs while at work.

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5.3. The sale, unlawful possession, manufacture or distribution of alcohol, cannabis, illicit drugs, or non-prescribed medication for which a prescription is legally required, during work hours is prohibited.

5.4. Any employee who is impaired by alcohol, cannabis, illicit drugs or medication in the course of his or her employment may be subject to discipline up to and including dismissal.

6. Business Meals / Functions:

6.1. It is recognized that from time to time, City business may be conducted over a meal.

6.2. Such working meals are a normal function of doing business and will not be deemed as a violation of the Code of Conduct or as a gift.

6.3. Business meals should be on an occasional basis and it can be demonstrated that it furthers the City's business interests.

7. Social/Sports/Charitable Functions

7.1. Attendance at social functions including dinners, galas, tournaments and sporting events, where attendance is on behalf of the City of Vaughan is recognized as a normal function of City business.

7.2. Attendance at such functions will not be deemed as a violation of the Code of Conduct or as a gift provided:

7.2.1. Attendance is in a representative capacity on behalf of the City if Vaughan; and

7.2.2. Attendance furthers the City's business interests; and

7.2.3. Acceptance of such tickets for functions/events is infrequent and the business contact attends the event with the employee; or

7.2.4. Similarly- positioned representatives of comparable government organizations are anticipated to attend the function.

8. Gifts

8.1. Employees shall not accept gifts (including items, articles, services, offers or vouchers) except of nominal value.

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8.2. Employees recognize that even items of nominal value, if frequently accepted, may be perceived to be an attempt to create an obligation.

8.3. Employees will donate gifts to charity or raffle gifts and send proceeds to charity where money is raised.

8.4. Employees can share gifts of nominal value amongst the department, if perishable.

8.5. Employees will not accept loans offered in the course of their employment at the City.

9. Responsibilities

All employees of the City of Vaughan have a responsibility and obligation to adhere to this Code of Conduct and the standards and principles set out within it.

9.1. Management staff must:

9.1.1. Promote an environment in which employees demonstrate standards of ethical and professional behavior;

9.1.2. Take appropriate steps to ensure employees are aware of and act in compliance with this Code of Conduct and related policies;

9.1.3. Demonstrate behaviours that are consistent with the Code of Conduct;

9.1.4. Support staff members in the adherence to the Code of Conduct;

9.1.5. Promote a safe and healthy workplace which promotes reporting of issues and incidents with no fear of reprisal or retaliation, where the complaint is not vexatious or made maliciously;

9.1.6. Establish and maintain adequate systems, procedures and controls for the operation which supports compliance with this Code of Conduct

9.1.7. Deal in a fair and expeditious manner with any issues or allegations of Code of Conduct violations, in consultation with the Office of the Chief Human Resources Officer; and,

9.1.8. Begin an investigation into an allegation or complaint within five business days or as soon as possible after receiving an allegation or complaint in writing which is signed by the complainant.

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10. Employees must

- 10.1. Provide a yearly acknowledgement and sign-off that they have read and understand the Code of Conduct and that they agree to comply with its provisions.
- 10.2. Seek clarification from management or the Office of the Chief Human Resources Officer if uncertain about any information contained in the Code of Conduct.
- 10.3. Adhere to the standards of behaviour outlined in this Code of Conduct

11. The Office of the Chief Human Resources Officer must

- 11.1. Maintain the Code of Conduct and human resources related policies and procedures.
- 11.2. Provide information and education relating to the Code of Conduct.
- 11.3. Provide advice on matters that are related to the Code of Conduct.
- 11.4. Support management in the investigation of alleged breaches of the Code of Conduct.
- 11.5. Determine in conjunction with management, the appropriate disciplinary action for confirmed breaches.

12. Reporting and Investigation

- 12.1. Employees who have reasonable grounds to believe a violation of the Code of Conduct has occurred should report such activity or behaviour, in writing, to their Supervisor, Manager, Director, Deputy City Manager, the Chief Human Resources Officer, or the City Manager, as appropriate. Employees may also use the City's Anonymous Reporting System to make a complaint.
- 12.2. Supervisory and management staff shall take all appropriate steps to prevent and stop Code of Conduct issues which come to their attention.
- 12.3. Any supervisory or management staff member who is subject to, witnesses, or is given a written complaint of a Code of Conduct breach or violation shall work to minimize or eliminate the issue at hand. In the event that this is not possible with available resources, the management staff is required to report the conflict to their Director, Deputy City Manager or the City Manager.

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12.4. The City shall investigate all complaints of violations of the Code of Conduct and take all appropriate corrective actions in response to any infraction or transgression.

13. No Retaliation

13.1. The City will not condone retaliation or reprisal of any kind by or on behalf of the City of Vaughan and its employees against good faith reports or complaints of violation of the Code of Conduct or other illegal or unethical conduct.

13.2. All employees must cooperate fully during an investigation of alleged wrongdoing in relation to any activity outlined in the Code of Conduct.

13.3. Retaliation or reprisal against a complainant or someone who is a witness or is involved in such investigation is strictly prohibited and will result in appropriate disciplinary action.

14. Remedial Action

14.1. Any employee who is found to have violated the Code of Conduct may be subject to disciplinary action up to and including discharge from employment.

14.2. In addition, complaints which are found to be vexatious, malicious or made in bad faith will result in a penalty against the complainant. The severity of the penalty will be determined based on the seriousness and impact of the vexatious complaint following an investigation which may be subject to disciplinary action up to and including discharge from employment.

15. Annual Report

15.1. An annual report will be provided to the City Manager of the number of complaints received and processed, the nature of the complaints, the resolution of the complaints, and all recommendations made. The identity of the persons involved will not be disclosed in the report.

ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	Other (specify) Annually	Next Review Date:	November 20, 2019
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Related Policy(ies):	13.C.01 – Respectful Workplace, 13.C.03 – Workplace Violence, CL-011 – Code of Ethical Conduct for Members of Council
Related By-Law(s):	
Procedural Document:	
Revision History	
Date:	Description:
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