



## Village of Chase Policy Manual

**Title:** ADM – 27 Worker Code of Conduct Policy

**Date Adopted:** April 12, 2016

**Revised:**

**Date Effective:** April 12, 2016

**Reviewed:**

**Special Notes / Cross Reference:**

**POLICY:** To set expected standards for the behaviour of all individuals working on behalf of the Village of Chase in carrying out their functions.

**PURPOSE:** To ensure those working for the Village of Chase (“Village”) uphold the highest standards when conducting Village business.

**SCOPE:** This policy statement applies to all individuals working on behalf of the Village including permanent, temporary, casual, and student staff. This policy applies to all forms of conduct (verbal, non-verbal, electronic, written, etc.).

### RESPONSIBILITIES

#### Chief Administrative Officer

- Provide timely advice to Senior Managers and designated contacts respecting the application of this policy statement including guidance on an appropriate employer response to transgressions of the policy statement;
- Deal with breaches of this policy statement in a timely manner, taking the appropriate action based upon the facts and circumstances;
- Waive the provision on working relationships under the circumstances indicated;
- Delegate authority and responsibility, where applicable, to apply this policy statement within the organization.

#### Senior Managers

- Advise staff on standards of conduct issues;
- Advise staff of the required standards of conduct and the consequences of non-compliance;
- Promote a work environment that is free of discrimination.

#### Staff

- Objectively and loyally fulfill their assigned duties and responsibilities, regardless of the party or persons in power and regardless of their personal opinions;
- Disclose and resolve conflicts of interest or potential conflict of interest situations in which they find themselves;
- Maintain appropriate workplace behavior;
- Avoid engaging in discriminatory conduct or comment.



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### PROCEDURES

All staff will conduct themselves with professionalism, maturity and respect when acting in a capacity on behalf of the Village. Staff are keepers of the public trust and must uphold the highest standards of ethical behavior. The honesty and integrity of the Village demands the impartiality of staff in the conduct of their duties.

All staff will promptly and diligently perform their duties and responsibilities and respect when confidentiality must be maintained. Staff are to be cognizant of their role and act appropriately in all circumstances that involve the reputation of the Village.

Staff who fail to comply with these standards may be subject to disciplinary action up to and including dismissal.

Staff will also comply with any additional terms that relate directly to their job in regard to provincial or federal legislation.

#### **Confidentiality**

Confidential information, in any form, that staff receive via their role must not be disclosed, released, or transmitted to anyone other than persons who are authorized to receive the information. Staff with care or control of personal or sensitive information, electronic media, or devices must handle and dispose of these appropriately. Staff who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing, releasing, or transmitting it.

The proper handling and protection of confidential information continues to apply after the work relationship ends. Confidential information that staff receive in their role must not be used for the purpose of furthering any private interest, or as a means of making personal gains.

Staff must not withhold or suppress information, complaints or reports about any other worker.

#### **Workplace Behaviour**

Staff are to treat each other with respect and dignity and must not engage in discriminatory conduct prohibited by the Human Rights Code. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment.

Further, the conduct of staff in the workplace must meet acceptable social standards and must contribute to a positive work environment. Bullying or any other inappropriate conduct compromising the integrity of the Village of Chase will not be tolerated.

All staff may expect, and have the responsibility to contribute to, a safe workplace. Violence in the workplace is unacceptable. Violence is any use of physical force on an individual that causes or could cause injury and includes attempt or threatened use of force. Staff must report any incident of inappropriate behavior (violence, harassment, bullying, and discrimination).



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Any staff member who becomes aware of a threat must report that threat if there is reasonable cause to believe that the threat poses a risk of injury. Any incident or threat of violence in the workplace must be addressed immediately.

Staff must report a safety hazard or unsafe condition or act in accordance with the provisions of the WorkSafeBC Occupational Health and Safety Regulations and applicable Village of Chase OH&S policies.

Staff are prohibited from:

- reporting for duty, be on duty, or be on stand-by for duty while unfit to do so by reason of the use of alcohol or a drug;
- from consuming alcohol while on duty;
- from consuming controlled drugs and controlled substances under the Controlled Drugs and Substance Act (Canada).

### **Staff / Council Interaction**

Staff should seek advice and approval from the CAO prior to responding to a direct request from Council, except where the request is minor or of a day-to-day operational nature.

Staff are not to lobby Council members on any matter other than it relates to their rights as a resident of the community.

Staff must not make public statements unfairly attacking or reflecting negatively on the Village of Chase, Council members, or other staff members.

### **Working Relationships**

Staff 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, staff who are direct relatives or who permanently reside together may not be employed in situations where:

- A reporting relationship exists where one staff member has influence, input, or decision-making power over the other staff members performance evaluation, salary, premiums, special permissions, conditions of work, and similar matters; or
- The working relationship affords an opportunity for collusion between the two staff members that would have a detrimental effect on the Village's interest.

### **Service to the Public**

Staff must provide service to the public in a manner that is courteous, professional, equitable, efficient and effective. Staff must be sensitive and responsive to the changing needs, expectations, and rights of a diverse public in the proper performance of their duties.

### **Conflicts of Interest**

A conflict of interest occurs when an staff's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the staff's duties or responsibilities in such a way that:

- the staff members ability to act in the public interest could be impaired;
- the staff members actions or conduct could undermine or compromise the public's



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- confidence in the staff members ability to discharge work responsibilities;
- the public's expectation of trust of the Village is in jeopardy.

While the Village recognizes the right of staff to be involved in activities as citizens of the community, conflict must not exist between staff' private interests and the discharge of their duties. Upon hiring, staff must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising. Staff who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter to their supervisor.

Examples of conflicts of interest include, but are not limited to, the following:

- A staff member uses Village property or equipment or their status, office, or affiliation to pursue personal interests or the interests of another organization;
- A staff member is in a situation where they are under obligation to a person who might benefit from or seek to gain special consideration or favour;
- A staff member, in the performance of official duties, gives preferential treatment to an individual, corporation, or organization, including a non-profit organization, in which the staff member, or a relative or friend of the staff member, has an interest, financial or otherwise;
- A staff member benefits from, or is reasonably perceived to have benefited from, the use of information acquired solely by reason of their position within the Village;
- A staff member benefits from, or is reasonably perceived to have benefited from, a transaction over which the staff member can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments);
- A staff member accepts from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of their position in the Village, other than:
  - the exchange of hospitality between persons doing business together;
  - tokens exchanged as part of protocol;
  - the normal presentation of gifts to persons participating in public functions; or
- the normal exchange of gifts between friends;
- A staff member accepts gifts, donations, or free services for work-related leisure activities other than in situations outlined above.

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

- The benefit is of nominal value;
- The exchange creates no obligation;
- Reciprocation is easy; and
- It occurs infrequently.

Staff will not solicit a gift, benefit, or service on behalf of themselves or other staff.

### **Human Resource Decisions**

Staff are to disqualify themselves as participants in human resource decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could accrue to them.



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### **Legal Proceedings**

Staff must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings unless the affidavit has been prepared by a lawyer acting for the Village in that proceeding. Staff are obliged to cooperate with lawyers defending the Village's interest during legal proceedings.

A written opinion prepared on behalf of the Village by any legal counsel is privileged and is, therefore, not to be released in any capacity without prior approval of the Chief Administrative Officer.

### **Public Comments**

Staff may comment on public issues but must not engage in any activity or speak publicly where this could be perceived as an official act or representation (unless authorized).

Staff must not jeopardize the perception of impartiality in the performance of their duties through making public comments or entering into public debate regarding Village policies. Staff must not use their position to lend weight to the public expression of their personal opinions. Staff must not make or sign false, misleading or inaccurate statements.

Unless it is part of the duties of a staff member, staff are prohibited from speaking directly to the media on behalf of the Village without prior consent of Council or the Chief Administrative Officer.

### **Political Activity**

Staff may participate in political activities including membership in a political party, supporting a candidate for elected office, or seeking elected office. Staff political activities, however, must be clearly separated from activities related to their employment.

If engaging in political activities, staff must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Staff must not engage in political activities during working hours or use Village owned facilities, equipment, or resources in support of these activities.

Partisan politics are not to be introduced into the workplace; however, informal private discussions among staff are acceptable provided they do not interfere with job duties.

### **Outside Remunerative and Volunteer Work**

Staff may hold jobs outside the Village, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities provided it does not:

- interfere with the performance of their duties as a Village staff member;
- bring the Village 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 Village opinion or policy;
- involve the unauthorized use of work time or Village premises, services, equipment, or supplies;
- gain an advantage that is derived from their employment with the Village.



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### **Allegations of Wrongdoing**

Staff have a duty to report any situation 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. Staff 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). Staff will not be subject to discipline or reprisal for bringing forward, in good faith, allegations of wrongdoing in accordance with this policy.

Where a staff member believes that the matter requires a resolution and it has not been reasonably resolved by the Village, the staff may then refer the allegation to the appropriate authority.

If the staff member decides to pursue the matter further then:

- Allegations of criminal activity are to be referred to the police;
- Allegations of a misuse of public funds are to be referred to the Auditor General;
- Allegations of a danger to public health must be brought to the attention of health authorities;
- Allegations of a significant danger to the environment must be brought to the attention of the Ministry of Environment.



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### REPORTING PROCEDURES

#### (a) How to report

Individuals can report incidents or complaints in breach of Code of Conduct verbally or in writing. When submitting a written complaint, please use the Breach of Policy form. When reporting verbally, the reporting contact, along with the complainant, will fill out the complaint form.

#### (b) When to report

Incidents or complaints should be reported as soon as possible after experiencing or witnessing an incident. This allows the incident to be investigated and addressed promptly.

#### (c) Reporting contact

Report complaints to the Chief Administrative Officer, Deputy Corporate Officer and / or, if applicable, a Union or other appropriate representative. Approaching a member of Council is not appropriate.

#### (d) Alternate reporting contact

If the employer, the complainant's supervisor, or the reporting contact named in (c) is the person engaging in breach of Policy, contact an appropriate senior member of staff.

#### (e) What to include in a report

Provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what behaviour and/or words led to the complaint, along with anyone who may have been witness to incidents. Attach any supporting documents, such as emails, handwritten notes, or photographs.

#### (f) Informal Process

Ideally, managers should attempt to resolve issues by directly addressing the person to whom they are having difficulties as early and as informally as possible. The Chief Administrative Officer, Deputy Corporate Officer, Union or other appropriate representative may assist in advising how to have the discussion with on your own.

If an individual does not feel comfortable addressing another person directly or has been unsuccessful in doing so, they are expected to approach the Chief Administrative Officer, Deputy Corporate Officer and / or, if applicable, a Union or other appropriate representative who may assist in facilitating a meeting in an attempt to resolve the issues or a mediator may be brought in to assist.

#### (g) Formal Process

The Chief Administrative Officer or Deputy Corporate Officer will review the incident information to determine whether a formal investigation is necessary or whether alternate measures may be available to address the situation. This is particularly relevant in circumstances where informal measures have not been attempted.

#### (h) Investigation

An investigation may be conducted to determine the facts of the situation. Interviews may be conducted with the complainant, the respondent and any witnesses that may have relevant information. The investigator may review all relevant documents and



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conduct in-person interviews with the complainant, the respondent, and all necessary witnesses. The investigation will normally commence within two weeks of the filing of the complaint and be completed within 30 working days of commencement. Completion time may be reasonably extended beyond those timelines in order to ensure a thorough investigation has been conducted.

Depending on the severity of the allegations, changes in scheduling or reporting may occur; or the employer may suspend individuals with pay pending the outcome of the investigation if deemed appropriate. The investigation must be in compliance with the current Collective Agreement.

### (i) Remedies

The range of remedies for the complainant, if the complaint is upheld, may include, but are not limited to, the following:

- Oral and/or written apology from the respondent and/or Village;
- Any administrative change that is appropriate;
- Coaching;
- Counselling;
- Education;
- Re-orientation to this policy and its purpose;
- Discipline up to and including termination of employment.

### (j) Retaliation

Any direct or indirect retaliation against any party, bystander, or witness involved in a complaint or a complaint-resolution process will not be tolerated and may in itself result in disciplinary action by the Village.

### (k) Unsubstantiated Complaints

If the investigator finds insufficient evidence to support the complainant's allegations, the investigator will submit that finding. There will be no record of the complaint on the complainant's or respondent's file and there will be no penalty to anyone concerning the incident.

A finding of no evidence is a simple reflection of an absence of evidence to support the claim and nothing more. It is important to differentiate between a finding of no evidence and one that has been made in "bad faith; was vexatious, or frivolous."

In circumstances where the complaint was found by the investigator to have been made in bad faith or to be vexatious or frivolous, appropriate action will be taken, which could include discipline for the complainant up to and including dismissal.

Please sign below to indicate you have read and understand the Village of Chase Code of Conduct policy.

Name: \_\_\_\_\_  
Please Print

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

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



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### Workplace Code of Conduct complaint form

<b>Name of complainant</b>	
<b>Name of respondent</b>	
<b>Date</b>	<b>Location</b>
<b>Name of investigator</b>	

Person interviewed	Other people involved (e.g., alleged worker, witnesses)	Description of the situation (dates, words, actions, etc.)

Based on the investigation, did a breach in Code of Conduct occur?

Yes  No

Reason(s) for this conclusion