

THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: **EMPLOYEE CODE OF CONDUCT**

POLICY NUMBER: **HUMAN RESOURCES - 404**

<i>Date of Council Adoption:</i> November 15, 2010	<i>Last Amendment:</i> December 10, 2018
<i>Council Resolution Number:</i> 2010-501, 2013-134, 2015-309, 2018-437	
<i>Originating Department:</i> Human Resources	<i>Date last reviewed by the Governance and Legislation Committee:</i> November 19, 2018

Policy:

1.0 Purpose

The purpose of this policy is to outline the requirements for appropriate employee conduct with the City of White Rock. Every action we take in the course of a business day should preserve and enhance the highest standards of honesty, fair dealing, faithful performance of contracts, and integrity. City employees are expected to conduct themselves at all times in accordance with the spirit and the letter of all applicable laws. If you are doubt about any aspect of this policy, you are directed to seek further information from your Department Head or the Chief Administrative Officer.

This policy applies to employees and officers of the City.

2.0 Principles

The City is committed to creating and maintaining a work environment where high standards of business and personal ethics are observed and practiced.

Employees who have concerns regarding administrative practices, misuse of public funds, or believe a situation results in danger to public health or safety will bring the matter to the attention of the Department Head or the Chief Administrative Officer.

This policy prohibits retaliation or reprisals against anyone who, in good faith, reports a violation of this policy, acts as a witness, or participates in a complaint investigation process. If any employee is found to have retaliated against another employee in such circumstance, disciplinary action ~~will~~ may result up to and including immediate termination of employment.

Employees who believe they have been retaliated against may report this in writing to the Chief Administrative Officer. If the employee believes the retaliation involves the Chief Administrative Officer, they may report to the Mayor.

3.0 Conflict of Interest

3.1 Employees will maintain their role as private citizens separate and distinct from their responsibilities as employees of the City and avoid *conflict of interest* or *potential or perceived conflict of interest* situations.

Employees owe a duty of loyalty to the City. As part of this duty, employees are required to avoid situations and activities where their personal interests or activities (financial or otherwise) conflict, appear to conflict, or have the potential to conflict with their duties to the City.

A conflict of interest can arise, for example, whenever:

- (a) an employee receives a benefit of a financial or other nature additional to that normally conferred by terms and conditions of employment, for the performance of the employee's duties, responsibilities or obligations as a City employee to the City or the public;
- (b) an employee acts in his or her own personal interest in the performance of the employee's duties contrary to the City's interests, thereby compromising the trust that the public and internal customers place in the City and/or the employee;
- (c) an employee takes advantage of his or her position to obtain or to provide inappropriate benefits to or for themselves, relatives, business associates, or friends;
- (d) an employee uses or authorizes the use of City facilities or property for any purpose other than for the legitimate business of the City;
- (e) an employee attempts to influence the City's dealings with relatives, business associates, or friends; and
- (f) an employee approves his or her own license or permit application, or such application of relatives, business associates, or friends.

This is not an exhaustive list of conflicts of interest.

A potential or perceived conflict of interest arises when a well-informed person acting reasonably would conclude that the employee, in the discharge of his duties, has acted or will act in his or her interest to the detriment of the interests of the City.

Employees will disclose in writing to a City Department Head or the Chief Administrative Officer any conflict of interest, or potential or perceived conflict of interest, before it happens. Employees will not engage in any activity that may constitute a conflict of interest without prior management approval in writing.

An employee who is in a conflict of interest situation and who has not obtained written approval from a City Department Head or Chief Administrative Officer will immediately:

- cease such activity; and
- report such activity to a member of senior management of the City.

3.2 *Gifts, Favours and Services*

Employees will not either directly or indirectly, demand or accept money, goods, discounts, favours, benefits, services, property, or anything else, whether to be received in the present or the future, from any individual, corporation or organization in the course of their employment duties other than the normal exchange of hospitality between persons doing business together.

Employees will not use their position with the City to obtain such gifts, favours, or services for their personal use, or for the use of relatives, business associates, or friends.

While the City recognizes the conferral of gifts and services to staff members or relatives of staff members by coworkers on the occasion of birthdays, illnesses, and/or other major life events, the cost of such gifts or services will be borne by those coworkers who wish to participate in giving gifts unless specifically approved by their Department Head or the Chief Administrative Officer.

3.3 *Allocation of Work and Ordering of Supplies*

During the course of their employment with the City, employees will not, without the written permission from their Department Head or the Chief Administrative Officer, be directly or indirectly involved in or influence the awarding of an assignment of work to, the inspection of work of, and will not order any supplies from:

- (a) a relative, including a spouse, parent, ward, guardian, child, brother, sister, cousin, uncle, aunt, in-law, grandparent, or any person with whom an employee shares his or her household, business associate, or friend, other than an arm's length tenant who occupies separate quarters with the household;
- (b) a firm, company, partnership, or other legal entity in which the employee or a relative, business associate, or friend, alone or with others, holds an interest; and
- (c) a firm, company, partnership, or other legal entity in which another employee of the City, alone or with others, holds an interest.

An employee will not directly or indirectly promote any goods or services from which the employee, the employee's relatives, business associates, or friends may receive a personal gain or benefit.

3.4 *Employment*

Employees will familiarize themselves and comply with the City's Human Resources Staff Directive #19, "Employment of Relatives".

4.0 **Confidentiality**

Except as required by law or in the ordinary course of the employee's duties, an employee will not divulge or disclose any City information identified as or understood to be confidential, to other employees or to persons or organizations outside the City. This confidentiality requirement survives employment with the City and employees who are no longer employed with the City will not divulge or disclose any confidential information that the employee has received or become aware of in the course of employment. ~~Upon request by the City, employees will cooperate in a request made under the Freedom of Information and Protection of Privacy Act.~~

In accordance with workplace confidentiality obligations, and to protect personal and sensitive workplace information, employees are prohibited from engaging in all forms (audio/video) of secret electronic recording of workplace discussions, conversations, or activities, without advance notice and authorization.

As required by the City, employees will cooperate in a request made under the Freedom of Information and Protection of Privacy Act.

Formatted: Indent: Left: 0.31"

5.0 **City Property and Information**

Except as otherwise provided in a written employment contract or City policy, City property, including vehicles, equipment, material, and City information, whether electronic or other, will be used solely in the performance of an employee's duties and will not be used for unauthorized or illegal purposes, personal convenience or benefit (including commercial endeavor), including unauthorized non-City uses and events. Notwithstanding the preceding, the Chief Administrative Officer may provide preauthorization of City property for non-City events in appropriate circumstances.

Communication tools are to be used for business purposes only. It is acknowledged that from time to time, communication tools may be used for limited personal use. An employee will not incur additional cost to the City for the personal use of any City equipment, unless such costs are reimbursed in a timely manner.

6.0 **Outside Employment**

If an employee is employed with another organization or involved in a business endeavor:

- (a) such employment or involvement will not, or will not have the potential to, interfere with or supersede any duties as a City employee or damage the City's reputation;
- (b) there will be no personal benefit or advantage because of employment with the City;

- (c) such employment or involvement will not involve any use of City premises, services, equipment, information, or supplies, and such activities will not occur during the employee's scheduled hours of work.

7.0 Disclosure of Property Ownership

- 7.1 All persons required to submit disclosures of business, real estate or other holdings under the *Financial Disclosure Act* will do so in the manner prescribed by the *Act*.
- 7.2 Where an employee is involved, directly or indirectly, in any property development with the City, except for property that is the employee's primary residence, the following will apply:
 - (a) the employee will immediately provide details of his or her involvement with the property, in writing, to his or her Department Head;
 - (b) the Department Head will communicate this information to the Chief Administrative Officer;

8.0 Political Activity

- 8.1 Where an employee runs for and is elected to a public office at the Municipal (other than White Rock), Provincial, or Federal level, or for a School Board, the time spent running for office, and time in office during their normal hours of work, may be approved as leave without pay by the Chief Administrative Officer for one term of office, at the discretion of the City.
- 8.2 Consistent with the *Local Government Act*, an employee who runs for Mayor or Councilor at the City of White Rock will take a leave of absence without pay from the time of filing of nomination papers. If elected, the employee, before taking the oath of office, will resign from employment with the City.

9.0 Public Statements

- 9.1 Except in the ordinary course of their employment, employees will not enter into public political debate or advocacy, as a representative of the City, regarding City policies or by-laws.

10.0 Criminal Implications

Employees should be aware of the following offences under the *Criminal Code*, which restrictions are incorporated by reference into this policy:

- (a) influencing or attempting to influence the voting and official activities of a municipal or other government official by means of bribery, fraud, threats or by the suppression of truth when one has a duty to disclose the truth; and
- (b) selling, purchasing or influencing public appointments or offices and the corrupt offering or acceptance of secret commissions in relation to the affairs or business of one's employer or principal.

11.0 Employee Behaviour

Employees will ensure that at all times during the course of their employment:

- (a) Their conduct and language meet acceptable social standards;
- ~~(b)~~ They treat employees, Council members and the public with courtesy, respect and dignity; and
- ~~(b)~~(c) They respect the privacy of others and the reasonable workplace expectations of honesty, trustworthiness, integrity, and an implicit duty of good faith and fair dealing. In this context, employees must refrain from the making of secret electronic recordings (audio or video) of workplace discussions, interactions, or activities and the subsequent sharing of the recordings with third parties or otherwise disclosing them on an online platform. This strict prohibition against employees making electronic recordings is also intended to promote workplace cooperation, collaboration, open discussions, and innovation.

12.0 Penalties and Appeals

- 12.1 Breach of this policy may result in discipline up to and including termination of employment.
- 12.2 Exempt employees may appeal any disciplinary action to the Chief Administrative Officer. Union employees may follow the procedures as prescribed in the applicable Collective Agreement.

Rationale:

The City acknowledges that its function is the delivery of public services and expects that all employees involved in the delivery of public services will consistently meet the highest standard of ethical behaviour in order to preserve, maintain and enhance the confidence of the public in the manner in which the role of the City is discharged. Although it is not possible to describe every situation that may be encountered during a career with the City, this policy is intended to define the basic standards of conduct expected of the City's employees. If you face a situation in which you have any doubt about the legitimacy of your actions, it is your responsibility to raise it with your Department Head or Chief Administrative Officer for further discussion.