

# **BYLAW NO. 01-2020**

## **A MUNICIPAL EMPLOYEE CODE OF CONDUCT BYLAW**

The Council for the Rural Municipality of Keys No 303 in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be referred to as the “Municipal Employee Code of Conduct Bylaw”
2. This bylaw shall apply to:
  - a. Employees of the Rural Municipality of Keys No 303
  - b. Council of the Rural Municipality of Keys No 303
  - c. Hamlet Board of the Organized Hamlet of Crystal Lake

### **PRINCIPLES**

3. Our Employees 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 interests’ conflict with interests of the Municipality.
4. Employees must not engage in any conduct or activity which contravenes our by-laws or other laws in force in Saskatchewan.

### **PURPOSE**

5. This Code of Conduct is intended to:
  - a. Provide an understanding of fundamental rights, privileges and obligations of Municipal Employees;
  - b. Protect Public rights;
  - c. Promote high ethical standards among municipal employees;
  - d. Set out corrective measures for unethical conduct.

### **CONFIDENTIALITY**

6. Every municipal employee must hold strict confidence all information of 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 legal proceedings, etc.
7. Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information gathered as a result of this confidence, and is not available to general public to:
  - a. Further, or seek to further, his or her private interests;
  - b. To seek to improperly further another person’s private interests.

### **USE OF INFLUENCE**

8. The Municipality strives to ensure fairness and objectivity in its decision-making process.
  - a. In this scope, it could be considered a breach of the Code of Conduct for an employee to use his or her position to seek to influence a decision of another person to:
    - i. Further their own private interests; or
    - ii. To seek to improperly further another person’s private interests.

## **PROCEDURES**

9. Employees are expected to comply with the Code of Conduct and have a responsibility to request an interpretation of the Code from the senior administrative official (Administrator) if they are unsure.
10. Where an employee suspects that there is a potential conflict of interest, the employee has an obligation to disclose the conflict or potential conflict to their direct supervisor, or Administrator in writing.
  - a. While Form E is available as attached to this Bylaw, a letter with the necessary information shall be acceptable as well.
  - b. This disclosure shall have the following information:
    - i. Date
    - ii. Timeline
    - iii. A detailed description of the nature of the conflict, or potential conflict.
  - c. This letter shall be treated seriously and in confidence.
  - d. The supervisor must, within 5 business days from the date of the disclosure is submitted, determine an appropriate course of action to address the actual or potential conflict.

## **KEY AREAS OF CONDUCT**

11. Respectful Workplace
  - a. Employees are expected to become familiar with the Municipal Workplace Policy and conduct themselves in accordance with that Policy, the Human Rights Code and Occupational Health and Safety Legislation.
12. Conflict of Interest
  - a. Employees have a responsibility to avoid situations where personal interests intermingle with Municipal duties and responsibilities, including interests or dealings which will negatively impact the reputation of the Rural Municipality of Keys.
  - b. Employees shall not directly or indirectly through family members financially or materially gain by providing municipal services or municipal materials to an individual or corporation.
    - i. While it is understood that occasionally tokens (for example coffee, baking, or small gifts) are given to employees, these tokens of favors will not influence the decisions of the employees in relation to contravening the policies and procedures of the Municipality, or to give the individual free municipal services or materials.
  - c. Employees shall not work for any persons, agencies or corporations that are prohibited by the *Municipalities Act*, or any other applicable legislation. Examples of this would include but is not limited to an auditor, or a Councillor, Reeve or Hamlet Board Member for the Rural Municipality of Keys.
13. Confidentiality
  - a. Information about the Municipality is governed by *The Freedom of Information and Protection of Privacy Act*.
  - b. As such, certain information may not be released except in certain circumstances and to certain organizations as authorized by the various Acts and Regulations. Examples of these items would be personal phone numbers and mailing addresses.
14. Health & Safety
  - a. A healthy and safe environment is an important aspect for the Municipality. Employees are expected to operate machinery and complete their duties safely and report any unsafe actions or unsafe equipment.
  - b. The expectation is that all employees will be “fit for duty” and unimpaired by the effects of drugs or alcohol.

## **PROTECTION FROM RETALIATION**

15. Any person who reports violations of this Code or other Unethical Conduct will be protected from reprisal so long as their actions are in good faith and on reasonable grounds and the matter is not frivolous or vexatious. Any reprisal or attempted reprisal against someone reporting unethical conduct is considered a breach of this Code of Conduct.

## **CONTRAVENTION OF THE CODE OF CONDUCT**

16. As required by clause 66.1(5)(c) of *The Municipalities Act*, the following section details the procedure for handling contraventions of the code of conduct.
17. To report an alleged contravention of the code of ethics, a member of council, employee, or member of public may submit Form E, by sending the form directly to Administrator, by mail, e-mail, fax or courier. The complaint will then be presented to council at the next regular meeting of council in an *in-camera* session.
18. Upon receipt of a complaint, Council shall discuss the complaint and take all necessary steps to ensure the complaint is valid.
  - a. This could include, but is not limited to,
    - i. setting up any applicable committees to investigate,
    - ii. Interviewing any of the parties involved,
    - iii. Request third party assistance in attempting to fix or correct the complaint,
    - iv. Other ideas as deemed by council.
19. All discussions surrounding alleged and substantiated contraventions of this policy shall be conducted in an *in-camera* session at a meeting of council.
20. If the claim is found to be substantiated, Council may, by resolution, impose an appropriate penalty detailed in 21(a) to (f) based on the severity of the contravention of the code of ethics.
  - a. Any action taken by Council should include a time frame to complete the expected remedial action.
21. The Administrator (Or Reeve if the complaint is against the Administrator) shall inform the claimant, member of council, and any other relevant party of council's decision, which includes:
  - a. Informing the claimant and member of council that the complaint is dismissed, or
  - b. Informing the complainant and member of council of the corrective action and/or the measures taken to ensure the behavior or activity does not continue.

## **REMEDIAL ACTION IF CONTRAVENTION OCCURS**

22. Should the contravention require action, the following courses of action are available to council include but not limited to:
  - a. An apology, either written and/or verbal to the impacted individual, council, or public as required;
  - b. Educational training;
  - c. Repayment of gifts or money received, or if not able, a donation to a charity may be acceptable;
  - d. Suspension of duties for a specific time frame or until educational training is completed;
  - e. Dismissal of the employee;
  - f. Reprimand.

**Bylaw in Effect**

23. This Bylaw shall come into force immediately.

[SEAL]

\_\_\_\_\_

Reeve

\_\_\_\_\_

Administrator  
Section 8(1)(j) of *The Municipality Act*

Read a third time and adopted  
this \_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Administrator



**FORM E**  
Municipal Employee Code of Conduct/Ethics  
Municipal Council Code of Conduct/Ethics

**Code of Ethics/Conduct complaint**

Application # \_\_\_\_\_

**Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.**

I, \_\_\_\_\_ of \_\_\_\_\_,  

(First and Last Name) (Full mailing address)

do solemnly swear/(affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the Rural Municipality of Keys No 303 to *(look into/ conduct an investigation/ inquiry/ follow-up on)* whether or not the following employee or member(s) of the RM Council has/have contravened the Code of Ethics and Code of Conduct:

Member of council or employees: \_\_\_\_\_

I have reasonable and probable grounds to believe that the above person/people has/have contravened the Code of Ethics/Conduct by reason of the following:

Date and time of Infraction \_\_\_\_\_

Section of Infraction \_\_\_\_\_

Please include as much information as possible about the following:

1. Location of conduct;

2. provide the particulars and names of all persons involved, and of all witnesses;

3. provide contact information for all people listed;

4. any exhibits can be attached; and

5. if more space is required, please attach additional pages as needed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Signature of Complainant)

\_\_\_\_\_  
(Date signed)

**For Office Use Only**

\_\_\_\_\_  
(Date filed)

Signature of \_\_\_\_\_  
Municipal administrator