



# CITY OF QUESNEL

## STANDARDS OF CONDUCT POLICY

ISSUED: October 2014  
 PREPARED BY: Human Resource Advisor

AUTHORIZED BY: \_\_\_\_\_  
 City Manager

### POLICY PURPOSE

The City of Quesnel requires employees meet a high standard of conduct to maintain and enhance the public's trust and confidence in municipal government.

**NOTE:** Where there is any conflict between the policies adopted by the City of Quesnel and the policies set forth in the appropriate collective agreement, or policies set forth in a statute of the provincial or federal government, collective agreements or the provincial or federal statute shall supersede such other policies.

### References

1. Declaration of Confidentiality Agreement (2013)
2. Freedom of Information and Protection of Privacy Act
3. Email, Internet and Computer Usage Policy (October 2014)
4. Mobile IT Devices Policy (June 2013)
5. Bullying and Harassment Policy (December 2013)
6. WorksafeBC Occupational Health and Safety Regulations

### Specific Objectives

The objective of this policy is to describe the standards of conduct required of all employees.

### General

The requirement to comply with these standards of conduct is a condition of employment. Employees who fail to comply with these standards may be subject to disciplinary action up to and including dismissal. In situations where potential criminal activity has occurred, the City will cooperate fully in all police investigations. Employees should contact their supervisor, or the Human Resources Department for advice and assistance on the interpretation or application of this policy.

**Conduct**

Employees' conduct, on or off the job, should instill confidence and trust, and must not bring the municipality into disrepute.

**Confidentiality**

Confidential information that employees receive through their employment must not be divulged to anyone other than persons who are authorized to receive the information. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing it. Caution and discretion in handling confidential information extends to disclosure made inside and outside of work, and continues to apply after the employment relationship ceases.

Confidential information that employees receive through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains. See the Conflicts of Interest section of this policy for details.

New Employees are required to sign a "Declaration of Confidentiality Agreement" prior to commencing work with the City of Quesnel.

**Public Comments**

City employees are free to comment on public issues but must exercise caution to ensure, that by doing so, they do not jeopardize the perception of impartiality in the performance of their duties. For this reason, care should be taken in making comments or entering into public debate regarding Council policies.

Municipal employees must not use their position to lend weight to the public expression of their personal opinions.

**Political Activity**

Municipal employees are free to participate in political activities, including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment.

Employees actively running for political office for the City of Quesnel are encouraged to request leave of absence from their employment during the term of the election. If an employee is elected into office he/she must resign from his/her employ with the City of Quesnel.

If engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities. Employees must not engage in political activities during working hours or use municipal facilities, equipment or resources in support of these activities.

Partisan politics at the local, provincial or national levels are not to be introduced into the workplace. This does not apply to informal private discussions among co-workers.

## Service to the Public

Our goal is to provide consistent service levels to all citizens and ensure municipal employees provide service in a manner that is courteous, professional, equitable, efficient and effective. Employees must be sensitive and responsive to the changing needs, expectations and rights of a diverse public while respecting the legislative framework within which service to the public is provided.

## Workplace Behaviour

The conduct and language of municipal employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of the municipal government.

The following list contains examples of the types of conduct which the Municipality views as unacceptable and deserving of discipline, up to and including dismissal. This list is not exhaustive of the types of conduct that may give rise to discipline or dismissal:

1. Deliberate or wilful destruction or damage of property, equipment, machinery or tools belonging to the Municipality or fellow employees;
2. Theft of property belonging to the Municipality or fellow employees;
3. Engaging in inappropriate conduct such as; swearing or using obscene or abusive language while on municipal premises or while on duty;
4. Bullying and/or harassment of fellow employees under grounds covered by the ***Human Rights Code*** and is defined as any inappropriate conduct or comment by an individual towards an employee that caused or has the potential to cause that employee to be humiliated or intimidated. This excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment. Employees and supervisors should refer to the Workplace Bullying and Harassment Policy for full details;
5. Possession of dangerous weapons or illegal items on municipal premises or while on duty;
6. Fighting, threatening or intimidating others, or provoking or instigating a fight on municipal premises or while on duty;
7. Engaging in illegal conduct on municipal premises or while on duty;
8. Refusal to follow instructions from a supervisor or any member of management without reasonable cause;
9. Knowingly falsifying operation records of the Municipality, including time cards and employment applications;
10. Unauthorized use of any municipal equipment, machinery or tools;
11. Using, possessing, consuming or being under the influence of illegal drugs and/or alcohol while on duty;

### **Time Management**

All employees of the City of Quesnel are required to spend their time wisely while on Company time. Excessive use of time through non-productivity shall result in disciplinary action. This includes, but is not limited to:

- Excessive amounts of time spent socializing with other employees;
- Time spent in frivolous pursuits on the internet or on email for non-business purposes as outlined in the Email, Internet and Computer Usage Policy;
- Employees being overly distracted from their scheduled projects due to cell phone communications, etc.

It is reasonable to expect that employees will maintain a healthy work-life balance by interacting on a personal level during work hours; however it is the City's expectation that employees set reasonable limits that will ensure the standards of work performed is not negatively impacted.

### **Threats of violence**

Employees shall refrain from any statement or behaviour, either express or implied, which shall be interpreted as a threat of violence.

Employees witnessing or receiving any threats of violence, either express or implied, **MUST** report these, in confidence, to a manager as soon as possible.

Managers must investigate all such reports as soon as possible, and take appropriate action.

### **Conflicts of Interest**

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

- the employee's ability to act in the public interest could be impaired;
- the employee's actions or conduct could undermine or compromise the public's confidence in the employee's ability to discharge work responsibilities, or the trust that the public places in its municipal employees, or
- the employee's position can influence a decision that could result, or be perceived to result in a benefit.

While the City recognizes the right of employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their municipal duties. Upon commencing work with the City, employees must arrange their private affairs in a manner that will prevent conflicts of interests, or the perception of conflicts of interest, from arising.

Employees with questions regarding interpretation of the policy may discuss them with their Manager or Human Resource personnel. Employees who find themselves in an actual, perceived or potential conflict of interest must disclose the matter to their Manager. Employees who fail to disclose may be subject to disciplinary action up to and including dismissal.

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

- an employee uses City property or the employee's position, office or affiliation to pursue personal interests;
- an employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- an employee, in the performance of official duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- an employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment;
- an employee benefits from, or is reasonably perceived by the public to have benefited from, a transaction over which the employee can influence decisions (for example, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments);
- an employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their employment in the public service, 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
  - the normal exchange of gifts between friends.
- an employee solicits or accepts gifts, donations or free services for work-related leisure activities other than in situations outlined above.

### **Allegations of Wrongdoing**

Employees have a duty to report any situation that they believe contravenes the law, misuses City funds or assets, or represents a danger to public health and safety. Employees 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). Employees will not be subject to discipline or reprisal for bringing forward to a Manager, in good faith, allegations of wrongdoing in accordance with this policy.

Employees must report their allegations in writing to their Manager who will acknowledge receipt of the submission, investigate the matter and respond in writing within 30 days after receiving the employee's submission. Where an allegation involves their Manager, the employee must forward the allegation to the City Manager.

Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of the WorksafeBC Occupational Health and Safety Regulations.

Where an employee believes that the matter has not been resolved by their Manager, they may pursue the matter further by referring the matter to the City Manager.

## **Legal Proceedings**

Employees 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 City in that proceeding.

The City will indemnify (provide legal counsel and cover legal costs) an employee who is acting reasonable and in good faith in connection with their duties under the City's indemnification Bylaw. Any employee in this situation must immediately notify the City Manager.

## **Working Relationships**

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

- a reporting relationship exists where one employee has influence, input or decision-making power over the other employee's performance evaluations, salary, conditions of work and similar matters; or
- the working relationship offers an opportunity for collusion between the two employees that would have a detrimental effect on the Employer's interest.

The above restriction on working relationships may be waived provided that the City Manager is satisfied that sufficient safeguards are in place to ensure that the Employer's interests are not compromised.

## **Personnel Decisions**

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

For example, employees are not to participate in staffing actions involving direct relatives or persons living in the same household.

## **Outside Remunerative and Volunteer Work**

Employees may engage in remunerative employment with another Employer, 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 municipal employee;
- bring the municipal government 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 municipal opinion or policy;
- involves the unauthorized use of work time or municipal premises, services, equipment, or supplies to which they have access by virtue of their employment with the City; and
- gain an advantage that is derived from their employment as a municipal employee.

Employees should advise their manager of the planned outside employment, and request approval in writing.

Employees should discuss volunteer activity with their managers, in case there is any conflict of interest.

#### RESPONSIBILITIES:

The City Manager is responsible for:

- ensuring that the provisions of this policy are met;
- ensuring that Managers are advised of the required standards of conduct and inform their employees;
- ensuring that all possible breaches of the policy are thoroughly investigated;
- based on the results of an investigation, ensuring that appropriate action is taken;
- waiving the provision on working relationships under the circumstances indicated;
- ensuring that confidential information is handled with caution and discretion; and
- delegating authority and responsibility, where applicable, to apply this policy with the City of Quesnel.

Supervisors and Managers are responsible for:

- advising staff on standards of conduct issues;
- ensuring that confidential information is handled with caution and discretion; and
- assisting staff in the resolution of conflicts of interest
- investigating all reports of threats by employees, and taking appropriate action

Employees are responsible for:

- fulfilling their assigned duties and responsibilities, objectively and loyally, regardless of the party or persons elected and regardless of personal opinions;
- disclosing and resolving conflicts of interest situations in which they find themselves;
- reporting all actual or perceived threats of violence by employees, whether received or witnessed;
- maintaining appropriate workplace behaviour; and
- checking with their supervisor, Manager, or Human Resource Advisor when they are uncertain about any aspect of this policy.