

BYLAW 2016-04

A BYLAW TO ESTABLISH A MUNICIPAL EMPLOYEE CODE OF CONDUCT.

The Council of the Rural Municipality of Cymri No. 36, in the Province of Saskatchewan, enacts as follows:

1. Pursuant to Section 111.1 of *The Municipalities Act*, council is required to establish an employee code of conduct.
2. On the terms and conditions set out in attached documentation marked as Exhibit "A".
3. This bylaw shall come into force and take effect on the final passing thereof.



Reeve

Administrator

Certified a true copy of Bylaw No. 2016-04
adopted by resolution of the council present at the
meeting on the 5th day of April, 2016.

Administrator

EXHIBIT "A"
RURAL MUNICIPALITY OF CYMRI NO. 36
MUNICIPAL EMPLOYEE CODE OF CONDUCT

PRINCIPLES:

Employees of the Rural Municipality of Cymri No. 36 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 interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality.

Employees must not engage in any conduct or activity that contravenes the municipality's by-laws or any law in force in Saskatchewan which might:

- detrimentally affect the municipality's reputation;
- make the employee unable to properly perform his or her employment responsibilities;
- cause other employees to refuse or be reluctant to work with the employee; or
- otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

PURPOSE:

This Code of Conduct is intended to:

- provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- protect the public interest;
- promote high ethical standards among municipal employees;
- provide a means for municipal employees to obtain authorization for conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct; and
- set out the corrective measures for unethical conduct.

RESPONSIBILITIES:

Employees of the municipality:

- must hold in strict confidence all information of a 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 any legal proceeding, etc.

- shall not use his or her position with the municipality to influence a decision of another person so as to further his or her private interests or those of his or her family.
- Perform all duties and obligations in line with municipal policies and procedures.
- Perform his or her duties in an impartial manner.
- Carry out all duties and obligations as instructed to do so by a member of Council or superior co-worker.
- Shall not accept gifts, favours or services:
 - 1) that are personal in nature and which he or she will take personal possession; unless these gifts, favours or services are authorized by resolution of Council; or
 - 2) unless these gifts, favours or services are given over to the municipality for its control.
- Shall not use municipal owned equipment; including but not limited to, tools, vehicles, implements, municipal office and/or shop space without the consent and knowledge of the municipal council.

Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information that is obtained as a result of his or her employment and that is not available to the public to:

- further, or seek to further, his or her private interests or those of his or her family; or
- seek to improperly further another person's private interests.

PROCEDURES:

Employees are expected to comply with the Code of Conduct. Employees have a responsibility to request an interpretation of the Code from the municipal council if they are unsure whether their behavior, circumstances, or interests contravene the Code.

Where an employee suspects that he or she is, or may potentially be, in conflict with any of the provisions of the Code, the employee must disclose the conflict or potential conflict in writing, to council or the Labour Relations Committee.

The disclosure should include a detailed description of the conflict or potential conflict.

Where a disclosure is made, the matter will be treated seriously, and in confidence. The council must review the disclosure within ten (10) business days from the date the disclosure is made and determine an appropriate course of action to address the actual or potential conflict.

CONTRAVENTIONS AND CORRECTIVE DISCIPLINE POLICY:

Council requires all employees to:

- Disclose a conflict or potential conflict, and
- meet certain standards of work quality, safety and dependability at all times.

The following corrective discipline actions will be taken by the municipality if an employee fails to disclose a conflict or fails to meet standards of work quality, safety and dependability:

- 1) Verbal Warning and Disciplinary letter (copy to be placed in the employee's file).
- 2) Disciplinary letter and Short-term Suspension
- 3) Termination – after consultation with a solicitor.

1. Verbal Warning and Disciplinary letter (copy to be placed in the employee's file)

When an issue with an employee arises, the Labour Relations Committee and/or their designate shall clearly explain to the employee where he/she is failing, and steps necessary to correct the situation. A summary of this warning shall be documented by the employer, signed by both the disciplined employee and the employer. The original warning shall be put in said employee's file.

2. Short-term Suspension

If another incident of failing to meet the required standards occurs or if the pattern of behavior has not improved, and a period of six consecutive months since the first warning has not elapsed, a meeting shall be called and shall consist of the Council and/or designate, and the employee being reprimanded. The employer and/or designate shall again explain to the employee the area where the employee is failing or where the pattern of behavior needs correcting. Once the methods have been clearly explained to the employee, the employer and/or designate shall give the employee written copy of the explanation/warning. The employee may be given an unpaid suspension of not more than one week to decide whether or not he/she truly wants to continue working for the municipality. The original written explanation/warning shall be signed by the employer and employee and a copy shall be put in said employee's file.

3. Termination – after consultation with a solicitor

In the event that Steps 1 & 2 have not been resolved and the issue or the situation shows no signs of improvement, **termination of employment may result** after the said termination has been approved by Council. Notice of a termination shall be given in writing, signed by the Reeve (and/or his or her designate) and served on the employee.

In addition to steps 1, 2 & 3 above, an employee may be subject to **immediate dismissal** for the following serious infractions:

1. Failure to disclose to the employer, events surrounding an accident within 72 Hours of the accident occurring;
2. Arriving at work under the influence of alcohol or other drugs;
3. Any physical, verbal or sexual harassment of any kind on Municipal property or job sites;
4. Theft of employer property or property of a fellow employee;
5. The use or possession of liquor or illegal and/or non-prescription drugs on employer property or job sites;
6. Willful damage of employer property or property of a fellow employee;
7. Reckless disregard of safety rules;
8. Improper use of municipal funds;
9. *Failure to pass, or be submitted to a, drug test if requested by Council.*