



**The Corporation of the  
Township of Black River-Matheson  
MUNICIPAL POLICY**

<b>POLICY TITLE:</b> Employee Code of Conduct & Ethics	<b>SUBJECT:</b> Code of Conduct – All Employees
<b>Policy Section:</b> Human Resources	<b>Policy #:</b> CP-1812-01
<b>Effective Date:</b> October 12, 2021	<b>By-law:</b> 2021-068

**Section A  
Policy Statement**

- 1.0** The Township of Black River-Matheson wishes to provide a policy for all Township employees with a Code of Conduct and Ethics as acceptable behaviour, conduct and actions while employed by the Township of Black River-Matheson.
- 2.0** These Code of Conduct and Ethics standards are designed to supplement the legislative parameters within which employees must operate and is intended to supplement the professional standards for those employees that already have a code of conduct through their associations.
- 3.0** In addition to increasing the public's perception and confidence that employees of the Township operate from a base of integrity, justice, respect, honesty and courtesy, this Code is intended to foster a positive work environment and culture for our organization. Specifically, the work culture values of respect, integrity, teamwork, competency, excellence, communication and positive attitude are to be cultivated.
- 4.0** This Code of Conduct and Ethics is to provide direction to employees in support of the following principles:
  - a) That independent, impartial advice is provided which considers the best interests of the entire Township including its citizens, Council and other employees.
  - b) That communications are open, honest, consistent, respectful, consultative and inclusive;
  - c) That duties are performed, and Council's directions are implemented to the best of their ability, and in a conscientious, diligent, impartial and transparent manner;



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- d) Those private interests, either real or perceived, are kept separate from public responsibilities;
- e) That respect and support of others, including Council members, other employees and members of the public is provided to foster a positive team environment.

**Section B  
Definitions**

- 1.0 **“Chief Administrative Officer”** shall mean the Chief Administrative Officer (CAO) or his / her successor of the Township of Black River-Matheson.
- 2.0 **“Conflict of Interest”** for the purposes of this policy shall mean a situation where an employee or manager or any other person identified in this policy, either on his or her own behalf or while acting for, by, with or through another, has any interest, direct or indirect, in any matter that is identified in this policy.
- 3.0 **“Direct Conflict of Interest”** shall mean an interest that is specific to the person.
- 4.0 **“Employee”** means any person that is employed by the Township of Black River-Matheson who supplies services to the Township for wages or such other persons as may be prescribed who perform work or supply services to the township for no monetary compensation or such other person that is identified in this policy.
- 5.0 **“Illegal matter”** shall be defined as any matter that violates the Criminal Code of Canada.
- 6.0 **“Indirect Conflict of Interest”** shall mean an interest that pertains to a person identified as a “relative” as in Section 9.0
- 7.0 **“Manager, Department Head or Supervisor”** is defined as, and applies to, any employee who has been designated by the Township as one who directs and oversees a department or organization and the employees within that department



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or organization. The terms “*department head*”, “*director*” or “*supervisor*” may be used interchangeably.

- 8.0** “**Misbehaviour**” means any action contrary to any part of this Code including but limited to conflict of interest or pecuniary interest interests, municipal bylaws, provincial offences legislation, the Human Rights Code, or the Canadian Criminal Code.
- 9.0** “**Relative**” means father, mother, stepmother, stepfather, daughter in-law, son-in-law, foster parent, brother, sister, spouse/partner (including common-law spouse/partner), brother-in-law, sister in-law, child (including child of common-law spouse), stepchild, ward, father-in-law, mother-in-law, uncles, aunts, nephews, nieces, or any individual who is permanently residing with a township employee.
- 10.0** “**Township**” shall mean the Corporation of the Township of Black River-Matheson or its successors.
- 11.0** “**Whistle-blowing**” can be described as the identification and announcement of an observed, suspected or perceived misbehaviour by an individual towards another employee or individual.

**Section C  
Scope**

- 1.0** This policy applies to all Township employees of the Township of Black River-Matheson.

**Section D  
Responsibilities**

- 1.0** It is the responsibility of the Chief Administrative Officer to ensure that this policy is implemented and followed.



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- 2.0** It is the responsibility of all employees to read and follow this policy. Should an employee be unsure about any measure in this policy, then the employee has the responsibility to seek clarification from their supervisor or the CAO.

**Section E  
Policy Detail**

**1.0 General**

- 1.1 All employees shall serve their department and the public with honesty and integrity, and in a conscientious and diligent manner.
- 1.2 Employees shall:
- a) Perform their responsibilities assigned in their employment with the Township and within their legislated and prescribed authorities.
  - b) Understand and adhere to all municipal bylaws, policies and procedures.
  - c) Implement Council directions assigned through the CAO in an impartial and effective manner.
  - d) Act in cooperation with other municipal employee members to foster a positive team environment.
  - e) Understand and follow other policies and procedures that relate to this Code but not limited to purchasing, recruitment, expenses etc.
  - f) Adhere to the Code of Conduct and Ethics and report any contraventions of this Code to the appropriate authority.
  - g) Avoid any real or perceived conflict of interest

**2.0 Conflict of Interest**

- 2.1 Like Council Members, employees may find themselves in a situation that can be described as a Conflict of Interest.



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- 2.2 Employee Conflict of Interest can be both a direct and indirect.
- 2.3 Employees are expected to identify and avoid such conflict by becoming familiar with the contents of this policy.

**3.0 Gifts and Benefits**

- 3.1 Employees shall not, directly or indirectly through relatives, solicit any gift or accept/receive any gift or personal benefit or rewards which may be tied to or inferred to be tied directly or indirectly to their position or the performance of their duties. Employees shall not accept, directly or indirectly through a relative or otherwise, any gift, money, discount, favours, or other assistance, from any business or organization which has contracted through the Township or who will be potentially contracted to do business in the future, or who has other business with the Township including the need for licenses, permits, agreements, development activities, procurement activities, or other municipal approvals. Employees shall not place themselves in a position where they could be placed in a real or perceived position of obligation to favour an individual or business or organization.
- 3.2 This shall not prohibit employees from receiving promotional gifts or benefits of nominal value (e.g., coffee mugs, pens etc.). It is also recognized that in the ordinary course of business it may be appropriate for a business or organization to pay for an employee's lunch for example. Receipt of such a gift or benefit during business will not be considered a breach of these rules assuming that such a receipt is infrequent, (as defined by less than three (3) times per year by the same business) and nominal in nature (defined as less than \$100 value).



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3.3 No employee shall seek or obtain by reason of his or her position any personal privilege or advantage with respect to Municipal services not otherwise available to the public except as authorized by law or Municipal policy.

**4.0 Confidentiality and Use of Municipal Information**

4.1 It is every employee's responsibility to ensure information disseminated to Council members and/or the public is accurate and complete. No employee shall willfully mislead Council members, employees or the public about any issue of municipal concern. All information shall be released based upon appropriate communication protocols as established from time to time.

4.2 Every employee shall ensure that confidential information provided through the course of their duties is kept strictly confidential and shall only be disclosed or released to authorized employees or allowed by legislation. This shall relate to any time during or after their employment except as required by law. Employees that have access to personal or confidential information shall become familiar with their obligations and responsibilities as outlined in various legislation, including the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

4.3 No employee shall:

- a) Use information acquired through their official duties and not available to the public for a personal advantage or pecuniary interest during or after their employment.
- b) Use confidential information to cause detriment or a benefit to others inappropriately.
- c) Release confidential documents or information until the matter ceases to be confidential as determined by Council, policy or legislation.



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- d) Have access to information protected under legislation, unless it is specifically relevant to their duties.
- e) Speak disrespectfully or negatively about the Township, another employee, a Council member or Council's decisions. Any concerns regarding the conduct of another person including in contravention of the Code of Conduct by another employee or Council member shall be handled through the appropriate process.
- f) Withhold information relevant to the well-being of the Township, the security of assets, and/or perceived deficiencies in the way it is doing business from their supervisor or, failing their action, the next level of command.

## **5.0 Conduct at Council/Committee Meetings**

5.1 During Council and other meetings where employees are representing the Township, employees shall conduct themselves with decorum and in accordance with the Municipal Procedural Bylaw, as amended from time to time. Respect and courtesy will be provided to delegations, Council members, other employees and members of the general public. Employees shall make best efforts to ensure that Council is well informed on matters before them through reports and, as necessary, through verbal clarifications at the meetings. Each employee has a responsibility to ensure that such decorum occurs, both through their own conduct and by bringing to the attention of the CAO any offensive conduct that is observed.

## **6.0 Relationships with Employees and Members of Council**

6.1 Employees will show respect for other employees and Council members and recognize their distinct roles and responsibilities as defined by legislation and municipal policies.





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6.2 Employees shall:

- a) Refrain from using their position to improperly influence other employees or Council members in their duties or functions or to gain advantage or pecuniary interest for themselves or relatives.
- b) Refrain from publicly criticizing individual employees or Council members in a way that maliciously or falsely injures the professional credibility or ethical reputation of an individual.
- c) Provide advice that is objective and based upon their professional expertise, politically neutral, and considering a corporate perspective, without undue influence from any individual member or group of members of Council or other outside interests.
- d) Be respectful that other employees and Council members have the right to a different point of view providing it is appropriately and responsibly shared.
- e) Carry out the direction of Council and administer the policies and programs of the Township without undue influence from any individual member or group of members of Council or by any outside interests.
- f) Carry out responsibilities that are set out in legislation without any undue influence from any individual member or group of members of Council or any outside interests.
- g) Be respectful and supportive of the Township's commitment to fostering an environment that is free from discrimination, harassment, interference, intimidation or coercion through personal adherence to the Township's Policies and the Ontario Human Rights Code.

## **7.0 Use of Municipal Property**

7.1 Employees will use municipal owned property, equipment, supplies and services only for activities connected with the discharge of their official duties as sanctioned by the Township policy or bylaw and not for personal use





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unless provided by the Township in a policy. Any equipment or supplies purchased by the Township in the exercise of the employee's duties (i.e., computers, cell phone etc.) is municipal owned property and is to be returned to the Township at the conclusion of employment with the Township.

7.2 No employee shall obtain financial gain from the use of municipal developed intellectual property, computer programs, technological innovations or other patented items, while an employee or thereafter. All such property remains the exclusive property of the Township of Black River-Matheson.

7.3 No employee shall use information gained in the execution of his or her duties that is not available to the public, for any real or perceived pecuniary advantage of the employee or their relatives, or for any other purpose not related to the implementation of their employment duties.

**8.0 Work of a Political Nature**

8.1 No employee shall use the Township's facilities, services, or property in support of an election or re-election campaign, to express support for a political candidate, or to undertake any other outside political activity. Additionally, no employee shall accommodate any requests from incumbents or any candidate to utilize their services during the hours in which they are paid under employment of the Township.

**9.0 Fraud and Breach of Trust**

9.1 Employees shall not engage in behaviour that is fraudulent or that constitutes a breach of trust with the Township of Black River-Matheson. A fraudulent activity includes, but is not limited to:



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- a) Using deceit to gain a personal advantage or benefit for oneself and/or others.
- b) Illegally obtaining money, including the solicitation and/or the acceptance of bribes or favours.
- c) Intentionally providing false or incomplete or withholding information from Council and/or municipal officials.
- d) Intentionally circumventing municipal policies or procedures to gain a personal advantage to oneself and/or others.
- e) Planning or participating in a theft of municipal property, or the use of said property to aid and conduct a theft of any kind.
- f) Inappropriate personal use of or intentional damage to municipal property.
- g) Undertaking any other illegal activity.

**10.0 Conflict of Interest**

10.1 A conflict of interest is understood to occur if an individual's personal affairs, business, or relationships overlap with their professional functions. To avoid any real or perceived conflict of interest, pecuniary interest or personal gain for the employee, relatives, or associates, an employee is not permitted to carry out assigned duties for which a conflict of interest or a perceived conflict of interest is present. Conflicts of interest could potentially arise in – but are not limited to – the following and employees shall avoid and recuse themselves from these situations of conflict:

- a) Decisions regarding the Township's procurement of goods and services.
- b) The advancement of an employee's personal business or outside activity.
- c) The advance of another person's business or organization outside for personal or indirect gain.
- d) Any other matters that involve oneself or close colleagues, relatives or friends (including the display of nepotism in appointments, decisions, or instructions to municipal employees).



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**11.0 Business/Organization Relations:**

11.1 Employees must demonstrate transparency with regards to business relations and/or organizations conducting business with the Township. No employee shall act as a paid agent before Council.

11.2 Employees shall recognize the need for their decision making and actions to be viewed as impartial and transparent by refraining from having pecuniary association with any business or organization that has interactions with them in the conduct of their duties and responsibilities. This may include but not be restricted to borrowing or receiving money or gifts, directly or indirectly.

**12.0 Outside Work or Business Activities**

12.1 Employees are permitted to participate in work or business activities outside of their normal tasks unless otherwise provided for in their conditions of employment, and provided that these ventures do not interfere with their regular duties. Interference is presented if any of the following circumstances arise or are perceived to arise:

- a) The activity hinders the daily functions of the employee or their co-workers or is likely to have a negative effect.
- b) The activity is taking place during work hours, occurring in an employee member's office, or any other physical area in the workplace or is taking place using municipal property (e.g., computers).
- c) The activity includes the use of an employee's knowledge of confidential plans, projects, or information about business or holdings of the Corporation.
- d) The activity is promoted with advertisements, flyers, posters, or any other method of communication that is distributed.



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### **13.0 Municipal Expenditures and Purchases**

13.1 All employees with procurement responsibilities shall be familiar and adhere to the Township's purchasing policy. This shall include adhering to the parameters of spending limits and following the procedures relating to the policy. Employees shall not spend municipal funds for personal or non-work-related business or for frivolous acquisitions. The principles of ensuring fair, competitive and transparent procurement processes will be supported and is a mandatory Township expectation.

### **14.0 Alcohol and Drug Use**

- 14.1 Staff must never perform their job duties and responsibilities while under the influence of alcohol, drugs or other similar substances;
- 14.3 Impairment in the workplace is unacceptable. All staff are expected to report to work and comply with the Fit for Duty Policy and remain so for the duration of their shift;
- 14.5 The use, distribution, storage, sale and/or possession of illicit drugs and/or alcohol by a staff member on Township property, is strictly prohibited; and
- 14.7 Staff will adhere to the Fit for Duty Policy, following all provisions within that policy including usage of prescription drugs and consequences for not being fit for duty.

### **15.0 Workplace Safety/Prevention of Violence**

- 15.1 Staff are not permitted to commit any violent act or threatening gestures, or speech against other staff or members of the public;
- 15.2 Staff are not permitted to bring weapons of any kind, or any instruments designated to look like a weapon into the workplace; and



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15.3 Staff will abide by the Occupational Health and Safety Act and the Township Workplace Violence and Harassment policy.

### **16.0 Harassment**

- 16.1 All staff have the right to work in a workplace which is free of harassment, threats, intimidation, violence or malicious comments;
- 16.2 No violent, intimidating, or threatening behavior or misconduct in any form will be tolerated;
- 16.3 The Township is committed to providing staff with a work environment free of unlawful discrimination or harassment;
- 16.4 No form of harassment, including either sexual or personal harassment, will be tolerated, whether it involves staff or members of the public; and
- 16.5 Staff will adhere to this policy, in conjunction with the Township Workplace Violence & Harassment Policy and the Ontario Human Rights Code.

### **17.0 Identification of Improper Behaviour- “Whistle Blowing”:**

- 17.1 “Whistle-blowing” can be described as the identification and announcement of an observed, suspected or perceived misbehaviour by an individual towards another employee or individual. Misbehaviour consists of any action contrary to any part of this Code including but not limited to conflict of interest or pecuniary interest, municipal bylaws, provincial offences legislation, the Human Rights Code, or the Canadian Criminal Code.
- 17.2 Should an employee witness one of these actions taking place (or believes that it is occurring), he or she is obligated to report the issue in writing first to his/her supervisor. In cases where the supervisor is the person conducting the inappropriate behaviour, the employee will report the issue in writing to the next level of supervision up to and including the CAO. In the case of a matter involving the CAO, the matter shall be reported to the Mayor. All



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written reports of non-compliance shall be signed by the employee who witnessed the infraction.

17.3 Employees will be protected by the Township from any form of reprisal for reporting improper behaviour and shall not experience any discriminatory or other unfavourable treatment; be overlooked for promotions or future employment considerations; or have their existing position terminated providing that the allegations are ultimately found to be not intentionally malicious or frivolous in nature.

#### **18.0 Other Professional Codes of Conduct and Ethics**

18.1 Employees shall disclose and submit for their personnel file any other professional code of conduct and ethics that they must adhere to whether due to their professional designations and/or through memberships. This Code of Conduct is intended to support, not replace, such other Codes.

#### **19.0 Disclosure**

19.1 Whenever an employee considers that he (or she) could be involved in a conflict of interest, whether real or perceived or other matter associated with this policy, the employee shall immediately disclose the situation to the supervisor or the CAO. The employee shall abide by the advice given to him/her.

19.2 Any employee, Council Members, Council, or a member of the public has the right to identify any alleged non-compliance. The individual shall bring the matter forward to the CAO or the Mayor (if the matter involves the CAO).



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## **20.0 Compliance/Contravention**

20.1 Upon receipt of an alleged contravention, the CAO shall, in consultation with the employee's supervisor, determine the form an investigation will take. Additionally, the CAO will consult with the supervisor, should the contravention be verified, as to what action is appropriate to the circumstance. Actions may include discipline up to and including termination of service. The matter shall then be reported to Council for information purposes.

20.2 Any transgressions of an illegal matter shall be reported to the appropriate police authority.

## **21.0 Policy Procedure and Implementation**

21.1 The employee Code of Conduct and Ethics will be reviewed annually with each employee during the employee performance appraisal process.

21.2 All new employees will be required to sign the Code of Conduct and Ethics Acknowledgement as part of the employee orientation process at the beginning of their employment. Existing employees will be advised of their obligations to follow the Code and will be required to sign the Code of Conduct and Ethics Acknowledgement upon receipt of the Code.

21.3 The Township of Black River-Matheson shall keep a permanent record of the Code of Conduct and Ethics Acknowledgement for each employee in their personnel files.





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**Section F  
Forms**

None

**Section E  
Policy Adoption and Review Guidelines**

<b>Date of Adoption by Council</b>	<b>Policy No.</b>	<b>By-law No.</b>	<b>Date of Most Recent Review by Council</b>	<b>Planned Date of Next Review</b>
October 12, 2021	CP-1812-01	2021-068	October 12, 2021	

**Section F  
References to Related Polices or Bylaws**

<b>Policy Title</b>	<b>Policy Section</b>	<b>Policy Number</b>
Workplace Violence & Harassment Policy	Human Resources	CP-1801-01
Fit for Duty Policy	Human Resources	