

Corporate Policies

SECTION: TERMS AND CONDITIONS OF EMPLOYMENT		
SUBJECT: Employee Code of Conduct		
POLICY/PROCEDURE NO. 2.1.0	EFFECTIVE DATE: October 1, 2013	PAGE: 1 OF 9
SUPERCEDES POLICY DATED: Dec. 18, 2002	APPROVED BY: Executive Leadership Team	

POLICY STATEMENT:

Employees of the Corporation of the City of Brampton (City) are expected to adhere to high standards of personal and professional competence, integrity, and impartiality.

Employees shall have no direct or indirect personal interest in a business or transaction that would conflict with the proper conduct of their duties.

As public servants, employees must also maintain the public's trust. Their conduct shall ensure public confidence that their duties are performed in the City's best interest.

Employees, in the course of their duties, are not to take any action that they know, or reasonably should know, violates any applicable law or legislation.

The Code of Conduct cannot anticipate every possible event or situation. Employees are expected to use their best judgment in the spirit of this Code of Conduct and to seek clarification from their supervisor or Human Resources.

Employees will abide by the City's policies, procedures and corporate values, in the pursuit of quality customer service while demonstrating, encouraging, and promoting the corporate values of loyalty, trust, integrity and respect.

PURPOSE:

To provide guidelines for employees to assist in upholding the integrity and impartiality of the City's operations and to act, and be seen to act, in the interest of the City and not for personal gain while maintaining a high standard of ethical, moral, and legal conduct.

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SCOPE:

All employees.

PROCEDURE:

1. SPECIFIC GUIDELINES ON CONDUCT

a. Conflict of Interest:

A conflict of interest occurs when, in the course of his or her duties, an employee is called upon to deal with any matter which he or she has a direct or indirect personal interest, whether or not the employee acts or intends to act in a way which is inconsistent with the interests of the City.

b. Direct Personal Interest:

A direct personal interest is a non work-related interest through which the employee may derive an economic benefit or avoid an economic loss. No goods, services or construction shall be purchased from an employee, unless approved by the employee's Department Head and the purchase is made in accordance with Purchasing By-law Section 11 – Procurement Processes.

c. Indirect Personal Interest:

An indirect personal interest arises where the potential economic benefits or avoidance of economic loss, would be experienced by another person or corporation having a financial relationship with the employee. This may include, but is not limited to, ownership of shares or other securities, or the loan of money or property by, or to, the employee. An indirect personal interest also occurs when the potential benefit, or avoidance of loss, would be experienced by a person who is a relative or spouse of the employee, or based on the facts of the particular case, the employee could reasonably be considered to have a personal

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interest in the economic well-being of that other person.

An employee is not required to declare a conflict of interest where the interest of the employee is so remote or insignificant on its nature that it cannot reasonably be regarded as likely to influence the employee.

d. Disclosure:

Employees shall make prompt and full disclosure in writing to their Director. In the case of Directors and above, prompt and full disclosure will be made in writing to their Executive Director, Department Head or Chief Administrative Officer, as the case may be.

Disclosure will include any conflict of interest whether certain or not, a description of the nature of the direct or indirect personal interest, and the identity of any persons or corporations in respect of which there is a personal interest.

Upon receiving disclosure of a conflict of interest, the above authorized individuals shall ensure that:

- i. The employee does not deal with the matter that gave rise to the conflict of interest once a clarification has been made that a conflict exists. When in doubt, clarification should be obtained from the City Solicitor;
- ii. The action taken to avoid the conflict is to be recorded in writing and signed by both parties; and
- iii. The original is retained and two copies are forwarded to Human Resources for filing in the employee's and authorized individual's file.

A conflict of interest will most often arise without any wrongdoing or improper conduct on the part of the employee. Therefore, employees will not be disciplined for making prompt and full disclosure of the circumstances.

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e. Breach of Trust:

An employee who, in the course of his or her duties, seeks to advance a direct or indirect personal interest commits a breach of trust. A breach of trust would include:

- i. Influencing or attempting to influence the City to contract with a person, partnership or corporation for any purpose in which the employee has an interest;
- ii. Accepting from any person or corporation any profit, commissions or other payments or favours in the way of price or other advantages where the person or corporation has had, has presently, or may reasonably have contact with the City, or is seeking any decision, act, advise, comment, endorsement from the City.
- iii. Accepting for any persons or corporations any share of profits, commissions or other payments or favours in way of price or other advantage in exchange for referral of third parties to any such person or corporation.

f. Gifts and Benefits:

Gifts should not be solicited by employees. Employees should not allow themselves to reach a position whereby they might be or might be deemed by others to have been influenced in making a business decision as a consequence of accepting hospitality.

2. PROTECTION OF INFORMATION

a. Media/Public Relations:

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Employees shall treat each contact with the public with diplomacy, tact, and objectivity, and shall recognize that such contacts affect the City's public image. Employees acting as official City spokespersons must not express personal opinions. Even when not acting in an official capacity, employees must not criticize the City (i.e. their employer) or other City employees.

b. Confidentiality of Information:

Except where required by law, employees must not disclose, or use for personal advantage, confidential information to which they have access.

c. Ownership of Intellectual Property:

All inventions, products, processes and ideas that an employee has developed as part of their job duties belong to the City.

3. DRUG AND ALCOHOL USE

All employees will abide by applicable laws, and departmental regulations governing the possession or use of alcohol and drugs.

Employees shall not distribute, possess, consume, or use illegal drugs or substances on any work sites occupied by the City or in any City vehicle or other equipment at any time. No employee shall use or consume illegal drugs or substances during working hours including meal and coffee breaks, whether or not they are on City property.

Employees who are required to take prescription drugs shall do so only as directed by their physician. Employees shall inform their supervisor if the use of prescription drugs impairs their ability to perform their work.

No employee shall distribute, possess or use alcohol on any work sites occupied by the City or any City vehicle or other equipment except in the following circumstances:

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- a. The employee is required to possess or distribute alcohol as part of his or her duties at a licensed event or work site. Such employees shall not consume or use alcohol during working hours.
- b. The Consumption of alcohol is approved in advance by management as part of a social event or other occasion to which an employee is invited. Employees in attendance at social events where alcohol is served shall limit their consumption to avoid becoming impaired, using their discretion and judgment. For the purposes of this exception, management shall include the Chief Administrative Officer and Executive Leadership Team.

4. HARASSMENT AND VIOLENCE PREVENTION

The City will provide all employees with a safe and healthy work environment that is free from any form of discrimination, harassment, and actual, attempted or threatened violence in compliance with the *Ontario Human Rights Code (HRC)* and/or the *Occupational Health and Safety Act*.

a. Discrimination:

It is a breach of the Corporation's policy to discriminate in employment or in the services that it provides to the public on any of the prohibited grounds of discrimination as outlined in the *HRC*.

b. Harassment:

It is a breach of Corporate policy to engage behaviour, either through comment or conduct that is known or reasonably ought to be known to be unwelcome. This misconduct can present itself in many forms including, but not limited to, unwanted unsolicited or unreciprocated actions, behaviours, remarks or communications made deliberately or

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repeatedly, whether directed at a person or group.

c. Violence:

The Corporation recognizes that workplace violence is a serious matter and will take reasonable precautions to prevent workplace violence and to protect employees at the workplace.

5. ABIDING BY THE LAW

a. Business Principles and Practices:

All business records, expense accounts, invoices, vouchers, bills, payroll and employee records, and other reports are to be prepared with care and honesty. Knowingly entering false or misleading entries or purposely omitting entries in the books and records of the City is strictly prohibited.

No transaction is to be concealed from management or the City's internal or external auditors. Satisfactory accounting and auditing procedures and controls must be maintained, and full compliance with statutory requirements regarding internal and external audit procedures is imperative.

b. Fraud:

The City is committed to protecting its assets from any attempt, either by members of the public, contractors, sub-contractors, agents, intermediaries or its own employees, to gain financial or other benefits by deceit.

c. Whistleblower Protection

No employee or person acting on behalf of the Corporation shall take action in reprisal

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against an individual making a complaint or allegation in good faith.

d. Criminal Records Check

The City strives to maintain a safe and productive working environment for all staff. In order to minimize risk and safeguard employees, citizens, and assess, a criminal record check is required for new hires and all positions within the Corporation where the check constitutes a bona fide occupational requirement.

6. USE OF CITY PROPERTY AND ASSETS.

Employees shall not make use of any property of the City for their personal benefit, gain or enjoyment, other than property specifically provided by the City for such use as a benefit of employment.

Employees shall only use the City's property, equipment, supplies, and services for activities associated with the discharge of their duties, unless proper authorization has been granted.

7. COMPLIANCE AND INTERPRETATION

As a condition of employment with the City, employees shall comply with the City's Code of Conduct and related City policies and procedures. Employees have the responsibility to seek clarification from their supervisor or Human Resources.

Violations of the City's Code of Conduct will be grounds for disciplinary action up to, and including discharge and legal prosecution.

8. PROFESSIONAL CODES OF CONDUCT

Employees with professional affiliations, eg. accountants, lawyers, engineers, planners,

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auditors, human resources – may be subject to more than one code of conduct. If a situation arises that may cause conflict or confusion between the applicable codes, employees should consult with their supervisor or Human Resources.

REFERENCES:

Related Policies, SOP's and By-laws:

Policy No. 1.2.0 – Corporate Values
 2.2.0 – Conflict of Interest
 2.6.0 – Confidentiality
 2.11.0 – Information Technology Use
 2.13.0 – Human Rights
 2.14.0 – Corporate Fraud Policy
 2.15.0 – Criminal Reference Checks
 12.9.1 – Workplace Violence Prevention
 12.9.2 – Workplace Harassment Prevention

SOP Use of Social Media for Business Purposes
 Reporting and Investigation of Fraud

By-laws Purchasing By-Law

ADMINISTRATION:

Human Resources Division

CONTACT:

Human Resources Division

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