

**THE CORPORATION OF THE TOWNSHIP OF MCGARRY**

**BY-LAW NO. 2008-10**

**BEING A BY-LAW TO ADOPT A CODE OF CONDUCT FOR EMPLOYEES.**

WHEREAS Section 224 (d.1) of the Municipal Act 2001, as amended, states that Council shall ensure the accountability and transparency of the operations of the Municipality.

AND WHEREAS Council is desirous to enact a code of conduct for all Municipal Employees .

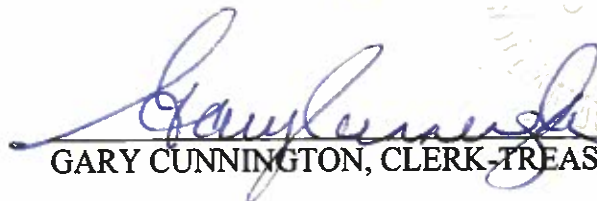
**NOW THEREFORE, COUNCIL OF THE TOWNSHIP OF MCGARRY ENACTS AS FOLLOWS:**

1. That the code of conduct for all employees attached to and forming schedule "A" to this By-Law be and is hereby adopted.
2. That this By-Law shall take effect on the date of its passing.

READ A FIRST, SECOND TIME AND THIRD TIME THIS 26<sup>th</sup> DAY OF FEBRUARY, 2008.

THE CORPORATION OF THE TOWNSHIP OF MCGARRY

  
CLERMONT LAPOINTE, REEVE

  
GARY CUNNINGTON, CLERK-TREASURER

# **CODE OF CONDUCT**

## **1. APPLICATION**

1.1. These rules of conduct shall apply to all employees of the Corporation of the Township of McGarry.

## **2. DEFINITION**

2.1 Employee Includes all persons including full-time, part-time, seasonal and temporary staff (including students) employed by the Corporation of the Township of McGarry.

## **3. RESPONSIBILITIES**

3.1 Every employee is accountable and responsible to comply with this Code to ensure there is no conflict between their personal interests and their official duties. Although the Code of Conduct cannot answer every question which may arise for each individual, it should alert you to situations that require extra concern or guidance. For additional advice in this regard, contact your Department Head or Clerk-Treasurer.

## **4. RULES OF CONDUCT**

4.1 An employee shall not:

- a) engage in any business transaction or have a financial or other personal interest which is incompatible with the discharge of his/her official duties;
- b) engage in any outside work or activity or business undertaking;
  1. that interferes or appears to interfere with the employee's duties;
  2. in which the employee has advantage or appears to have an advantage derived from employment in the Corporation of the Township of McGarry.
  3. in a professional capacity that will or might appear to influence or affect the carrying out of duties as a Township employee;
- c) use Township property, equipment, supplies or services of consequence for personal gain, or activities not associated with the discharge of official duties without prior approval;

- d) place him/herself in situation where he/she is under obligation, direct or indirect, financial or otherwise, to any person who could benefit from a decision or recommendation of the employee;
  - e) place him/herself in a situation where he/she is under obligation, direct or indirect, financial or otherwise, from any contracts about which the employee can influence decisions;
  - f) benefit, directly or indirectly, financial or otherwise, from the use of information acquired during the course of official duties which is not generally available to the public;
  - h) participate in any decision, promotion or make any recommendation to his/her supervisor, a Committee or Council, in which he/she or his/her immediate family has any financial interest, except an interest in common with general community;
  - i) solicit or accept any gifts, services, privileges, favours or entertainment, the acceptance of which will place or appear to place the employee under any obligation whatsoever to the donor;
  - j) disclose any confidential information relating to the affairs of the Township.
- 4.2
- a) Gifts, services, privileges, favours or entertainment of a nominal value of \$100.00 each may be received or given to employees on occasion, but they must always be of such form and substance that they could not be construed by an impartial observer as a bribe, pay-off or improper incentive and also must meet criteria set out in ( i ) above.
  - b) Gifts, services, privileges, favours or entertainment that will exceed \$100 each in value will require prior approval by the employee's supervisor. If the supervisor is not immediately available approval must be received at the first available opportunity.
  - c) Examples of gifts, services, privileges, favour or entertainment are as follows:
    - i) acceptance of occasional business meals;
    - ii) infrequent attendance at social or sporting events;
    - iii) acceptance of occasional gifts of a nominal value;
  - d) Details of any situation regarding gifts, services, privileges, favours or entertainment received or given to employees which exceed \$25.00 must be immediately disclosed to the Department Head (or his/her designate) or the Clerk-Treasurer.

4.3 Township staff may solicit gifts for the benefit of community events, as well as Township sanctioned employee events.

4.4 Employees acting in their professional capacity may be permitted to represent the Township at subsidized external functions, at the discretion and approval of the Department Head.

**5. DISCLOSURE**

5.1 Employees shall disclose details of the situation, within the defined limits set out in this policy, to either the Department Head (or his/her designate) or the Clerk-Treasurer.

**6. CONTRAVENTION**

6.1 Should a circumstance arise which the Clerk-Treasurer determines is, or appears to be a contraventions of this Code, the Clerk-Treasurer shall, in consultation with the employee's Department Head and other Town Officials he/she wishes to consult, determine what action is appropriate in the circumstances.

6.2 Failure by any employee to comply with this Code express that person to disciplinary action, up to and including termination and / or action through the courts.

**7. TERM**

7.1 This Code shall be in effect from the date of passage by Council and shall continue in effect from year to year. The Clerk-Treasurer shall cause a review of this Code to be conducted.

I, \_\_\_\_\_ have reviewed and clearly understand the Code of Conduct for the Township of McGarry employees and hereby agree to comply with all provisions as so stated. Furthermore, I am aware one signed copy of this Code will be retained in my employee file.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

APPROVED

\_\_\_\_\_  
Authority

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature