



**FORTFRANCES**

# **EMPLOYEE CONDUCT**

**HUMAN RESOURCES**

## **POLICY 3.7**

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## POLICY STATEMENT

Local government and municipal organizations represent an open, accessible, and accountable form of governance. The bond of public trust and mutual respect that has developed between the government and the community necessitates that municipal employees uphold high standards of ethical conduct.

### 1. PURPOSE

- 1) Protect public interest.

Municipal employees are entrusted with the responsibility of safeguarding the interests and well-being of the community they serve. This involves making decisions and taking actions that prioritize the common good, ensuring that public resources are used effectively and efficiently, and maintaining public trust.

- 2) Promote high ethical standards among municipal employees.

It is essential for municipal employees to adhere to the highest ethical standards. This includes honesty, integrity, transparency, and accountability in all professional activities. By upholding these values, employees contribute to a culture of trust and respect within the organization and the community.

- 3) Foster a universal understanding of the fundamental rights, privileges, and responsibilities of municipal employees.

Education and awareness are key to ensuring that all municipal employees understand their rights and obligations. This encompasses knowledge of workplace policies, legal requirements, and ethical guidelines that govern their conduct, enabling them to carry out their duties effectively and responsibly.

- 4) Offer a framework for municipal employees to seek authorization for certain actions when unsure about their ethical appropriateness.

Providing clear procedures for employees to seek guidance when facing ethical dilemmas is crucial. This framework ensures that employees can consult with supervisors or appropriate bodies to obtain the necessary authorization or advice, thereby maintaining ethical standards.

- 5) Establish procedures for addressing unethical conduct.

Robust mechanisms must be in place to identify and address unethical behavior promptly. These procedures should include clear reporting channels, investigation processes, and support systems to ensure that misconduct is dealt with effectively, preserving the integrity of the organization.

6) Outline methods for disciplinary action.

To maintain a fair and just workplace, it is important to have well-defined disciplinary procedures. These should be transparent and consistent, providing clear consequences for violations of policies or ethical standards, while also offering opportunities for rehabilitation and improvement.

7) Recognize that municipal employees occupy privileged positions and must fulfill their duties with a commitment to community well-being and the integrity of the Corporation.

Municipal employees hold positions that come with significant responsibility and influence. It is their duty to act in the best interests of the public and the organization, demonstrating a commitment to ethical practices, community service, and the overall integrity of the municipal corporation.

8) In cases where there is a conflict between the policies and procedures established by the Town of Fort Frances and those outlined in a Collective Agreement or statutes from the Provincial or Federal Government, the Collective Agreement or the relevant Provincial or Federal statute will take precedence over other policies or procedures. This ensures that municipal operations are aligned with broader legal and contractual obligations, providing clarity and consistency in governance.

## 2. CONFLICT OF INTEREST

- 1) Every municipal employee shall avoid situations in which the employee has a personal interest sufficient to influence or appear to influence the objective exercise of that employee's authority. When an employee is, or believes he/she may be, in a position of conflict of interest regarding the Town, the employee should disclose this to their Supervisor / Division Manager, or in his/her absence, to the Human Resources Manager.
- 2) A municipal employee must refrain from accepting gifts and benefits from firms or individuals that is greater than \$50 in value.
- 3) Municipal employees must not place themselves in a position where they are under an obligation to favour an individual or firm.
- 4) There is a role for "moderate hospitality". Employees should consult with their supervisor to determine whether a specific gesture constitutes moderate hospitality.
- 5) Employees shall reveal and not participate in any decision or promotion or make any recommendation to their Supervisor, Committee or Council in which they or their family has a direct financial interest, except as a resident of the municipality.

- 6) Indirect Pecuniary Interests - such as those held by an employee's spouse, children, or by corporations or entities in which the employee is a director, officer, or shareholder—shall be deemed to be the employee's own interest for the purposes of conflict of interest assessment.

All employees must disclose any actual, potential, or perceived conflicts of interest in writing. These disclosures must be submitted to the designated compliance officer or ethics committee and recorded in a centralized **Conflict of Interest Registry**. The registry shall be maintained and updated regularly to ensure transparency and accountability.

### 3. USE OF MUNICIPAL PROPERTY

- 1) An employee must not use the municipality's property, equipment, supplies or services for activities not associated with the discharge of official duties unless the respective Supervisor / Division Manager has granted proper authorization.
- 2) Employees shall not use property, equipment, and supplies or services owned or leased by the Town for personal gain.
- 3) All use, management, and disposal of municipal assets must adhere to the provisions outlined in the Municipal Act, 2001 (S.O. 2001, c. 25) and Ontario Regulation 588/17: Asset Management Planning for Municipal Infrastructure. These regulations require municipalities to maintain strategic asset management policies and comprehensive asset management plans that govern the lifecycle, valuation, and disposal of infrastructure assets

### 4. OUTSIDE ACTIVITIES OR EMPLOYMENT

An employee will use his / her position with the Corporation solely for the gain and service of the Corporation and not to secure advantage, benefit, favour, or services directly, or indirectly for self, spouse or children.

Employees must disclose in writing any outside employment, business activity, or professional engagement that may reasonably be perceived to conflict with their municipal responsibilities. Such disclosures shall be submitted to the designated ethics officer and recorded in the municipality's Conflict of Interest Registry, in accordance with Section 5.1 and 6.1 of the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.501.

Employees are strictly prohibited from soliciting or conducting personal business during work hours. Furthermore, municipal resources - including facilities, equipment, staff time, and information systems - must not be used for personal gain or non-official purposes, except where explicitly authorized in writing by the appropriate authority.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- Where outside employment or activities reduce to an unacceptable level the interest or energy an employee devotes to his or her duties.
- Where outside employment is performed in direct competition with services provided by the Town.
- Where an employee uses his or her position to solicit business for personal gain during regular working hours for the Town.

Employees are expected to report to work in a fit condition to carry out their work duties. Employees reporting for work in an unfit condition will be sent home without pay. The Corporation considers as being unfit if an employee is under the influence of alcohol or other substance which may cause them to be otherwise unfit. This may include legal medications which impair one's effectiveness and/or judgement and those other substances which are illegal.

Consumption of alcohol or illegal substances during working hours and on Corporate property is strictly forbidden.

Employees having left the employment of the Corporation shall not use or cause to be used any privileged or sensitive information gained or otherwise obtained by their employment for personal gain or advantage to gain other employment. The Corporation will take whatever is deemed appropriate action in such instances.

## 5. FINANCIAL TRANSACTIONS

Every municipal employee must adhere to Town by-laws and policies regarding any municipal financial transaction. Employees shall reveal and not participate in any decision or promotion or make any recommendation to their Supervisor, Committee or Council in which they or their family has direct financial interest, except as a resident of the Municipality.

Disposal of municipal property, assets or services shall be in compliance with Town policies.

At no time shall this benefit any individual employee or group of employees.

## 6. CONFIDENTIALITY

Every municipal employee must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the Town.

## EMPLOYEE CONDUCT

Employees are required to safeguard all personal information entrusted to them in the course of their municipal duties. Unauthorized access, use, or disclosure of personal information is strictly prohibited and may result in disciplinary action.

In accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), employees must:

- Handle personal data in a manner that ensures confidentiality, integrity, and security.
- Limit access to personal information strictly to those with a legitimate need to know.
- Respond to formal access requests in compliance with MFIPPA procedures, including timelines, documentation, and communication standards.
- Maintain the confidentiality of requesters and affected individuals throughout the request and disclosure process.

All municipal staff must familiarize themselves with MFIPPA guidelines and consult the Municipal Clerk, our institution's Freedom of Information Coordinator, when in doubt about the appropriate handling of personal information or access requests.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- To use confidential information, which is not available to the general public and to which, the employee has access by reason of his/her personal interests or the interests of others.
- To disclose to unauthorized persons confidential information to which the employee has access by reason of his/her employment with the Town.

## 7. POLITICAL ACTIVITY

Municipal employees are to be allowed as great a measure of political rights as can be reconciled with the need to ensure the fact and appearance of impartiality in the performance of their duties with the Town. The point at which an appropriate balance can be struck in any case depends primarily on the nature and level of the employee's responsibilities.

Municipal employees must not engage in any form of political activity during work hours, nor shall they associate their municipal roles or titles with political opinions, endorsements, or campaign-related messaging. The use of municipal premises, equipment, supplies, or uniforms for political purposes is strictly prohibited.

To preserve neutrality and public trust, employees must refrain from making public comments on political matters that intersect with their municipal duties unless

explicitly authorized. Any political activity that could interfere with an employee's responsibilities or create a conflict of interest must be disclosed and may require approval from the designated Ethics Executive.

Acceptable Political Activities Outside of Work - Outside of work hours, employees may engage in political activities such as:

- Voting in elections
- Attending political meetings or rallies
- Joining a political party
- Donating to a political campaign
- Running for municipal office (only with prior written authorization)

Employees in senior or publicly visible roles should exercise heightened caution and may be subject to additional restrictions. When in doubt, employees are encouraged to consult their supervisor, Division Manager, the Human Resources Manager or the Chief Administrative Officer, to ensure compliance with neutrality standards.

Without restricting the scope of this rule, the following shall be considered breaches of the Code of Ethics:

- Use the authority or influence of his/her position with the Town on behalf of a political party or candidate.
- To engage during working hours in any activity for or against a political candidate.

### **8. PUBLIC COMMENT**

Inquiries from the public and the media are to be referred to management personnel. Relations with the media shall be conducted as such that only factual and objective information related to policies adopted by Council shall be transmitted. Employees must refrain from putting forth speculative or subjective insights.

Employees should not assume that any unethical activities not covered by or specifically prohibited by the Code are permissible.

### **9. VIOLATION OF CODE OF ETHICS – PROCEDURES**

Municipal employees are encouraged to seek clarification from their Supervisor / Division Manager, the Human Resources Manager or Chief Administrative Officer if they are uncertain as to the appropriateness of their existing or contemplated conduct.

Complaints or inquiries concerning the ethical conduct of any municipal employee shall be made in writing to the Division Manager or Human Resources Manager.

All complaints or inquiries will be treated as confidential.

Employees will be expected to resolve any determined non-compliance with the Code to the satisfaction of the Corporation. Employees may promote any unresolved dispute arising out of this Code through their Supervisor; failing that, the Human Resources Manager; failing that, the Chief Administrative Officer; and failing that, the Mayor and Council.

Where it has been determined that the conduct referred to the Mayor and Council does breach the Code of Ethics, the complainant and the employee shall be so advised in writing. Council may also instruct the employee to divest himself/herself of the outside interest or transfer it to a trust or take disciplinary action.

### 10. DISCIPLINARY PROCEDURES

The Town of Fort Frances strives to create a long-term relationship with its employees. Our primary goal is to provide a positive environment through training, development and strong management that will allow both the employee and the Town to achieve excellence. For those employees that do not meet this expectation, a fair and constructive discipline procedure has been developed that encourages improved performance in the workplace.

The authority to discipline is entrusted to immediate Supervisors, Division Managers, the Human Resources Manager and / or the Chief Administrative Officer. Discipline is intended to be constructive in correcting an employee's unacceptable conduct or habits.

The Supervisor will promptly identify that a deficiency exists in performance or conduct. The supervisor will investigate and obtain all pertinent facts concerning the deficiency before disciplinary action is taken. The individual will be informed of the problem and given a chance to discuss it with his or her supervisor. Depending on the severity of the problem and its history, one of several actions might be taken;

- Verbal reprimand
- Written reprimand
- Suspension (with or without pay)
- Dismissal

Acute offences are those that are clearly identifiable and call for immediate reaction.

An example of an acute offence is a misappropriation of funds. For this, the penalty may be applied without delay, up to and including dismissal.

Chronic offences involve a continuing pattern of less serious infractions, such as persistent lateness or substandard work. These offences may be more appropriately handled by working through the various levels of discipline.

### 11. LEGISLATIVE REFERENCES

- *Municipal Conflict of Interest Act (R.S.O. 1990, c. M.50)*
- *Municipal Act, 2001 (S.O. 2001, c. 25)*
- *Working for Workers Seven Act, 2025 (Bill 30)*
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*
- *Public Service of Ontario Act (PSOA), Part V*