



EMPLOYMENT POLICY MANUAL

Subject: Code of Conduct Union and Non-Union	Approval Date: June 17, 2013	By-Law No. 1785-13 <i>Amended by By-Law No. 12-2018</i> <i>Amended by By-Law No. 24-2018</i>
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3.32 CODE OF CONDUCT UNION AND NON-UNION

1. POLICY STATEMENT

- 1.1 The purpose of establishing this policy is to help employees work together harmoniously according to the standards the Corporation of the Municipality of Red Lake has established. Employees are expected, in the conduct of work, to act in the best interest of the Municipality, to promote its corporate values and beliefs and act in a manner consistent with the highest moral, legal and ethical principles.
- 1.2 This policy recognizes that individuals have the right to be treated with respect in the workplace. The Municipality does not, and employees should not, condone behaviour in the workplace that is unacceptable and likely to undermine the work relationship, safety or productivity.
- 1.3 The responsibility for creating and maintaining a positive work environment rests with all persons sharing the work place. The Corporation, in exercising its responsibilities as the employer, will endeavour, at all times to provide a positive work environment. A positive work environment is free from offensive remarks, materials or behaviour in which professional and productive working relationships are maintained and in which employees provide courteous and efficient service to the community in a friendly and professional manner.
- 1.4 The standards established in this policy are intended to reinforce the responsibilities of parties in achieving and maintaining a positive work environment.
- 1.5 This policy applies to all persons employed by the Corporation, at the discretion of the Corporation but does not apply to elected officials. This policy will also be applied to third parties whom provide work or services on municipal property or in conjunction with municipal services.
- 1.6 A breach of this policy may result in disciplinary action up to and including termination.



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2. MUTUAL TRUST

These two words best sum up our approach at the Municipality of Red Lake.

We believe each employee is a mature and responsible adult who deserves the full trust and respect of the company and co-workers. Each of you will be treated with individual respect, dignity and fairness.

Obviously, not every person who applies for a job at the Municipality of Red Lake is hired. We were quite selective in choosing you. We are sure you were equally selective in choosing the Municipality of Red Lake as your place of employment.

As you read further in this policy manual, it will become more evident to you why mutual trust is important.

3. STANDARDS UNACCEPTABLE CONDUCT

3.1 The following list contains examples of the types of conduct, which the Municipality considers unacceptable and deserving of discipline, up to and including discharge. This list is not exhaustive of the types of conduct that may give rise to discipline or discharge including but not limited to the following:

- a) Deliberate or wilful destruction or damage to property, equipment, machinery or tools belonging to the Municipality, fellow employees or members of the public.
- b) Theft or misappropriation of property belonging to the Municipality, fellow employees or persons associated with the Municipality. (Contractors, Elected Officials, etc.).
- c) Engaging in immoral conduct, swearing or using obscene or abusive language while on municipal premises, while on duty or while representing the Municipality of Red Lake.
- d) Harassment of fellow employees or visitors to municipal property.
- e) Possession of dangerous weapons or illegal items on municipal premises or while on duty.



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- f) Fighting, threatening or intimidating others, or provoking or instigation of a fight on municipal premises or while on duty.
- g) Engaging in illegal conduct on municipal premises or while on duty.
- h) Demonstrating insubordinate behaviour towards, or refusing to follow directions or instructions from supervisor or any person of authority.
- i) Knowingly or negligently engaging in unsafe work habits, including violating safety rules or practices and endangering the safety of people while performing work on or off municipal premises.
- j) Knowingly falsifying municipal records (including the intentional recording of misleading information), including timecards, employment applications and benefit applications and benefit applications and claim forms.
- k) Engaging in poor work habits, including:
 - i) Employees shall not leave the job site or stop work without the immediate supervisor's permission, arrive late or fail to report to work, sleep during work hours or abuse the 15 minute breaks, permitted once during the morning and once during the afternoon, at times to be determined by the immediate supervisor. Stopping work or leaving the work area during the working hours without notifying or obtaining permission from the supervisor or person in charge, except in cases of emergency.
 - ii) Repeatedly interrupting other employees' work for reasons unrelated to the performance of the duties and/or responsibilities assigned to either employee by the employer.
 - iii) Posting, altering or removing notices, signs or other materials on bulletin boards located on municipal premises that are unrelated to municipal business and without authorization. This does not include the posting, alteration or removal of materials related to union business on bulletin boards designated for use by the Union.
 - iv) Overstaying a leave of absence without prior written approval.



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- v) Being absent from work or failing to report to work without reasonable cause or without notifying the immediate supervisor or other person in charge.
- vi) Unauthorized use of any municipal equipment, machinery or tools.
- vii) Conducting personal business or attending personal matters unrelated to the employee's duties and responsibilities during working hours, exclusive of lunch hour and rest periods.
- viii) Admitting liability on behalf of the Municipality of Red Lake, unless expressly granted authority to do so in writing.
- ix) Performing the duties or responsibilities of one's position while impaired by drugs (legal and/or illegal), alcohol or other causes (e.g. sleep deprivation), in a manner or to a degree that the safe performance of the work might be compromised. Municipality employees may not possess, use, manufacture, or distribute illegal drugs, prescription drugs not prescribed for the specified employee or alcohol on Municipality premises or be under the influence of drugs or alcohol on the premises, or during the working time of the employee. The company recognizes that the use of drugs and alcohol can limit an employee's ability to properly and safely perform the essential duties of their job.
- l) In order to provide a safe productive workplace, the following standards have been established:
 - i) Illicit and Unauthorized Drugs - use, possession, distribution, offering or sale of illicit drugs or drug-related paraphernalia while on company premises is prohibited. In addition, the presence of prescribed medications without a legally obtainable prescription, and distribution of, offering or sale of prescription medications is prohibited.
 - ii) Alcohol - use, possession, distribution, offering or sale of alcoholic beverages on The Municipality premises is prohibited. It is also prohibited for employees to report for or remain on duty while under the influence of alcohol. Exceptions for moderate alcohol use may be made for social functions subject to hosting guidelines and prior management authorization.



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- iii) Medications and Prescription Drugs - the intentional misuse of prescribed or over the counter medication while on The Municipality business and/or premises is prohibited. Employees who are required to take prescription drugs which may influence performance must report such drug usage to management for determination of work capability. The Municipality reserves the right to have a physician determine if use of a prescription medication by an employee produces effects which may increase the risk of injury to self or others while at work.
- iv) Under the Influence and Fitness for Duty - Reporting for duty or work while under the influence of any drug or alcohol is strictly prohibited.
- v) Illegal Substances - Any Drug that is illegal under federal, provincial, or local law; any legal drug which has been illegally obtained or for which a valid prescription is required but is lacking.
- vi) Under the Influence - Behaviour that adversely affects job performance, mobility, safety, or speech with evidence of drug or alcohol usage.
- vii) Fitness for Work/Duty - The ability to safely and acceptably perform the assigned essential duties without limitation due to the use or after-effects of alcohol, illicit drugs, or unauthorized medications.
- viii) Drug Related Paraphernalia - Unauthorized material designed for use in testing, storing, injecting, ingesting, inhaling, or otherwise introducing into the body an illicit drug or other substance.
- ix) The Municipality Premises - Includes property, parking lots, offices, facilities, land, buildings, structures, fixtures, installations, automobiles, trucks and all other vehicles and equipment whether owned or leased by the Municipality.
- x) Employee - All status of employees including regular, part-time, casual, contract, and probationary employees.

4. SPECIFIC DISCIPLINARY MEASURES

- 4.1 Possession of Substances - Possession, use, manufacture, or distribution of illegal drugs or alcohol on company property is specifically prohibited and may be cause for discharge.



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4.2 Under the Influence - Reporting for duty or working while under the influence of any drug or alcohol (whether or not legally impaired) is specifically prohibited and may be cause for suspension without pay or discharge.

4.3 Prescription Drugs - Employees required to take prescription drugs which may influence performance must report such drug usage to the management for determination of work capacity. Failure to do so may be cause for disciplinary action up to and including suspension without pay or discharge

Disciplinary action, including termination, will be initiated with an employee who violates this article. This may include requiring an employee to participate satisfactorily in a rehabilitation program. The Municipality reserves the right to deal with each case in its discretion, in accord with specific circumstances involved.

5. WORKPLACE DRESS

Employees shall dress in attire appropriate for the employee's position, having regard to the nature of the employee's work and the importance of maintaining a safe and professional work environment image.

6. OUTSIDE REMUNERATION

An employee engaged in outside employment may carry on business or receive public funds for personal activities provided that it does not place upon him or her demands inconsistent with his/her job, and, in particular:

- (a) It does not interfere with the performance of his/her duties while working;
- (b) It does not constitute actual or perceived conflict of interest; and
- (c) The use of municipal premises, services, equipment, information or supplies which he/she has access to virtue of his/her employment with the Corporation.



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7. DEALING WITH THE PUBLIC

Employees are expected to conduct themselves in a friendly, courteous and professional manner when dealing with the public.

As a municipal employee, behaviour both at work and in the community is a reflection of the reputation and image of the Corporation and employees' words, opinions and actions need to reflect this.

8. CONFLICT OF INTEREST

- 8.1 Employees at the Municipality must not engage in any activities that conflict with the organization's interests. Employees are expected to devote all business hours to the organization's affairs and not be involved in any other business, conflicting or otherwise. If you feel that you need or want to accept additional employment while working at the Municipality, you are asked to discuss the matter with your manager.
- 8.2 The Municipality recognizes the importance of protecting the integrity of the Municipality and its delivery of service while respecting the rights of individual staff as private members of their communities.
- 8.3 Each Municipality employee is expected to devote his/her time to the promotion of the Municipality's stated interests and not to use the Municipality or his/her connections with it for the pursuit of his/her personal or outside interests. Employees owe the Municipality their loyalty, and should avoid any interest, investment or association that interferes with the independent exercise of sound judgment in the Municipality's best interests.
- 8.4 Any interests or business activity carried out by any Municipality employees must not conflict with those of the Municipality's activities. Any activity that appears to create a conflict of interest should be avoided. These activities when not in conflict must be carried out in the employees' own time.
- 8.5 The Municipality conducts business without favouritism. Accordingly, any Municipality employees should not have any direct or indirect interest, or relationship with any organization (including vendors, and customers), where such relationship might affect the objectivity and independence of



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their judgment or conduct in carrying out their duties and responsibilities. Where any employee's immediate family may gain any direct or indirect benefit from a contract or transaction, the employee shall declare a conflict to his/her Immediate Supervisor or Manager. The employee shall not take part in the consideration of the contract or transaction.

- 8.6 Other than in exceptional circumstances where particular arrangements may be authorized, employees should never be in a position to influence the employment conditions (e.g. work assignment, compensation, etc.) or performance assessment of a family member that is a Municipality employee, contractor or agent.
- 8.7 The Municipality employees should not take additional employment with outside organizations, or operate their own business if such employment or activity will create an actual or perceived conflict of interest (e.g. employment with a customer or supplier) with the Municipality, or if such employment involves the use of the Municipality's proprietary information or the Municipality-based property or systems.
- 8.8 The Municipality expects that employees will not knowingly place themselves in any position that could create a conflict of interest, or the perception of a conflict.
- 8.9 We have no objection to employees accepting a second job unless it has a negative effect on their ability to perform their job at the Municipality, is in direct competition with our business, or involves the use of confidential information learned directly or indirectly through your employment with the Municipality.
- 8.10 Employees are requested to discuss the second job with their manager to help determine whether there is any possibility of a conflict of interest or a breach of confidentiality.
- 8.11 The Municipality recognizes the right of its employees to be involved in activities as citizens of the community, but employees must keep their role as private citizens separate and distinct from their responsibility as Municipal employees and avoid conflict of interest.
- 8.12 Conflict of interest situations shall include, but is not limited to the following situations where:



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- a) The employee's private affairs or financial interests are in conflict with his or her duties, responsibilities and obligations or result in the public perception that such a conflict exists;
- b) The employee's ability to act in the public interest on behalf of the Municipality would be impaired or appear to be impaired by the conflict; or,
- c) The employee's actions may compromise or undermine the trust, which the public places in the Municipality and its administration.

9. CONFIDENTIALITY

- 9.1 Due to the nature of our business, we are constantly placed in a position of professional trust. Employees are expected to keep confidential all the matters regarding the operation and finances of our organization and client information with which they may come in contact. This is a requirement, which the officers of the Municipality place on all the employees. The need to respect this confidentiality cannot be over-emphasized. Any breach of it whatsoever may be grounds for dismissal.
- 9.2 All Information that employees' obtain in the course of his/her employment will be held by the employee as trustee for the Municipality.
- 9.3 Employees shall keep in confidence all information relating to the business, clients, and policies of the Municipality. The Employee further acknowledges and agrees that the right to maintain the confidentiality of such information constitutes a proprietary right which the Municipality is entitled to protect. Accordingly, the Employee covenants and agrees with the Employer that he/she will not, disclose any of such confidential information to any person, firm or corporation, nor shall he/she use same, except as required in the normal course of his engagement hereunder, and thereafter he/she shall not disclose or make use of the same.
- 9.4 Upon leaving the employ of the Municipality, all employees shall promptly return any and all date books, notes, records, client lists, plans or other documents held by the employee concerning such business, clients and policies and the employee will continue to keep in confidence all information described in the preceding paragraph.



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- 9.5 Employees shall not disclose any secret or confidential information that, in good faith and good conscience, ought to be treated as confidential, which the employee may have become aware of in the course of his/her employment relating to the Municipality, its employees or clients. This means that as an employee you are not able to disclose, use or share any Municipal information that is not made available to the public. This is consistent with your ongoing obligations to the Municipality. Violation of this term will constitute grounds for dismissal without notice, or pay in lieu of such notice.
- 9.6 The foregoing obligations regarding confidentiality shall continue beyond the cessation of an employee's relationship with the Municipality. If you cease to be employed by the Municipality, you are still required to protect the confidentiality of any information that you acquired while working for the company, and you may not share this information with anyone without the Municipality's written authorization.
- 9.7 Confidential information that is not for public disclosure or privileged information available only to Municipal employees, will not be used in order to benefit an employee or others. If an employee is unsure as to the status of information, the immediate supervisor should be consulted.

10. GIFTS AND BENEFITS

Gifts or benefits should not be accepted where it may be determined by the CAO that the employee could be influenced in making a business decision as a consequence of accepting such hospitality.

Any gifts and/or benefits of a monetary value at or exceeding fifty (\$50) dollars shall be approved by the CAO.

Any gifts and/or benefits of a monetary value at or exceeding fifty (\$50) dollars offered to the CAO shall be approved by the Mayor or his/her designate.

11. ENFORCEMENT AND CONTRAVENTION PROCESS

- 11.1 It is the responsibility of every supervisor to ensure that employees are aware of the Code of Conduct Policy and that the policies and procedures are observed. A supervisor, who is aware that an employee has failed to observe the code of conduct, shall take the appropriate corrective action.



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- 11.2 If an employee has reason to believe that a supervisor is committing a serious breach of the code of conduct, she or he may approach their supervisor's manager or the CAO.
- 11.3 All employees have the responsibility to report verbally, or in writing, any evidence of breach of the standards set out in this policy and procedure. Reports should be submitted to the employee's direct supervisor with a copy forwarded to the Human Resources Manager. Employees have a responsibility not to be frivolous or vindictive in making such reports.
- 11.4 Supervisors and management staff have an ongoing responsibility to respond immediately to stop any activity in the workplace, which undermines this policy, whether or not there has been a report or a complaint. Inaction on the part of any supervisor or exempt management staff will be investigated by the Corporation and may result in disciplinary action being taken. A manager may require a complaint or report to be submitted in writing before taking any action under this policy.
- 11.5 Disciplinary action, if required, shall be subject to the process outlined in the Municipality's policy regarding discipline.