

**THE CORPORATION OF THE
TOWNSHIP OF EDWARDSBURGH CARDINAL**

BY-LAW NO. 2020-31

**"A BY-LAW TO ESTABLISH A CODE OF CONDUCT FOR THE EMPLOYEES OF
THE TOWNSHIP OF EDWARDSBURGH CARDINAL"**

WHEREAS Section 11(2) of the Municipal Act 2001, S.O 2001, c. 25, as amended, authorizes a municipality to pass by-laws regarding the accountability and transparency of the municipality and its operations; and

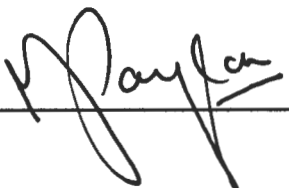
AND WHEREAS the Council of the Corporation of the Township of Edwardsburgh Cardinal deems it advisable to adopt an Employee Code of Conduct;

NOW THEREFORE the Council of the Corporation of the Township of Edwardsburgh Cardinal enacts as follows:

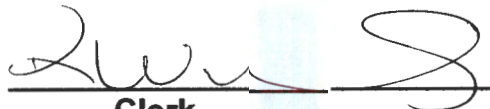
1. That the Employee Code of Conduct Policy, as described in Schedule "A", attached hereto and forming part of this by-law, is hereby adopted.
2. That By-laws 2007-29, 2009-76, and 2016-61 and all other by-law previously passed that are inconsistent with the provisions of this by-law are hereby repealed.
3. That this by-law shall come into force and take effect on the date of passing.

Read a first and second time in open Council this 23 day of March, 2020.

Read a third and final time, passed, signed and sealed in open Council this 25 day of May, 2020.



Mayor



Clerk

Schedule "A"
By-law 2020-31
Employee Code of Conduct

1. Policy Statement

The Township of Edwardsburgh Cardinal is committed to achieving the highest quality of municipal administration and governance by encouraging high standards of conduct on the part of all Township employees. The Township is committed to providing its residents and community with the highest standard of behaviour, service and commitment. The Employee Code of Conduct aims to ensure public trust and confidence in the Township's decision making and operations.

2. General Statement

Township employees shall perform their duties in a manner that maintains and enhances public confidence and trust in the integrity, objectivity, and impartiality of the Township. Trust and mutual respect are the cornerstones of any relationship between the public and its government. The Township, as an organization entrusted with public funds, is obligated to ensure the protection and appropriate use of all its resources and assets.

The Township is proud of its organization and the services it provides to its residents. Only through the commitment and effort of each employee in its workforce will the excellent quality of these services be achieved and public trust be maintained. Township employees are expected to demonstrate the highest standard of behaviour with the public, fellow employees and Municipal Council.

3. Purpose and Objective

To establish and communicate professional standards and guidelines that will assist employees of the Township in the discharge of their duties and establish the expectations in their dealings with residents, visitors, corporations, the community, and other business and organization interests who have interactions with Township employees.

4. Guiding Principals

The Employee Code of Conduct outlines the core values the Township employees apply to our everyday experiences and interactions. When we demonstrate these core values, we build a team with integrity that has the trust and confidence of the public. As Township employees, we shall commit to undertaking our work responsibilities in a manner which is consistent with the core values:

- Open Communication
- Teamwork and Cooperation
- Respect
- Integrity
- Impartial
- Transparent
- Accountable

Nothing within this Code is meant to conflict with the Township's obligations to its employees under a collective agreement or employment contracts. This Code does not answer every question that is going to come up. Rather, it is designed to promote ethical decision-making and behaviour, to make us think about how ethics guide us in doing our jobs and to reinforce the expectations of us. It's about making ethics and integrity part of the way we think about performing our duties.

5. Foster Respect

All Township employees shall accurately and adequately communicate the attitudes and decisions of the Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

6. Treating Every Person with Dignity, Understanding and Respect

All Township employees are expected to follow this Code and other applicable procedural law. Employees are also subject to other sources of law, such as but not limited to the following: Municipal Act, 2001, Municipal Elections Act, Conflict of Interest Act, Municipal Freedom of Information and Protection Privacy Act, Occupational Health and Safety Act, Human Rights Code, and the Criminal Code of Canada.

Township employees interact with residents who receive Township services or programs, community organizations, contractors, supplier, and the general public on a daily basis. Employees shall be professional, courteous and objective in all of these interactions.

The Township's employees are its ambassadors and are expected to reflect a professional image at all times. Employees are requested to be mindful of their attire and dress appropriately for their job. Employees are expected to conduct themselves with the highest degree of ethical behaviour and integrity.

As with such external relations, employees shall also be professional and courteous with their co-workers. They should be aware that improper behaviours in the workplace have a negative effect on others. Employees are expected to be reasonable and fair in their expectation of each other and resolve any conflict in a mature and professional manner.

Employees shall abide by the provisions of the Human Rights Code and, in doing so, shall treat every person, including other Members of Council, other employees, individuals providing services on a contract for service, students, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

In accordance with the Human Rights Code, employees shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, partnership status, gender identity, gender expression, receipt of public assistance, family status, or disability.

In accordance with the Human Rights Code and Occupational Health and Safety Act, harassment shall mean engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

Without limiting the generality of the foregoing, employees shall not:

- Make racial, homophobic, sexist or ethnic slurs;
- Display pornographic, homophobic, sexist, racist or other offensive or derogatory material;
- Make leering (suggestive staring) or other offensive gestures;
- Make written or verbal abuse or threats;
- Vandalize the personal property of others;
- Commit physical or sexual assault;
- Make unwelcome remarks, jokes, innuendos or taunting statements about a person's physical appearance, racial background, colour, ethnic origin, place of origin, citizenship, ancestry, creed (religion or belief), sex, sexual orientation, age, gender identity, gender expression, record of offence, marital status, partnership status, family status, disability (mental and/or physical);
- Make unwelcome remarks, insulting gestures or jokes which cause embarrassment or awkwardness;

- Refuse to converse or interact with anyone because of their racial or ethnic background, colour, creed, sex, sexual orientation, age, gender identity and expression, record of offence, marital status, partnership status, family status, or disability;
- Make unnecessary or unwanted physical contact, including touching, patting or pinching etc; and
- Demand sexual favours or requests.

Harassment which occurs in the course of or related to the performance of duties by employees is subject to this policy and the Workplace Violence and Harassment Prevention Policy, as amended from time to time. Infractions that may be considered criminal in nature shall be reported to the OPP.

7. Employee Awareness and Disclosure

This Code expresses the Township's expectations of its employees and reaffirms its commitment to caring for the community's needs and maintaining fiscal responsibility on behalf of the public and employees. This Code is a guide for consistent behaviour in the delivery of services. Contraventions of this Code is a serious matter to the Township and will be treated as such.

This Code applies to all Township employees, and as such, each employee is required to be knowledgeable about the Code, related Township policies, laws, regulations, government guidelines and internal controls applicable to their jobs. Each employee is required to address any situation of actual or potential non-compliance. Employees are encouraged to make prompt and full disclosure in writing to their Department Head or the CAO if they believe the employee or another employee was non-compliant with the Code. An actual or potential breach may arise without any intention of wrongdoing or improper conduct on the part of the employee. In those circumstances, employees will not be disciplined or treated adversely for making every effort to avoid such circumstances. Employees are to use sound judgement and apply the Code in a proactive fashion in order to maintain the public's trust in the Township's integrity and objectivity. An employee that fails to disclose an actual or potential breach of the Code may be subject to discipline. No employee will be disciplined for making a report in good faith about a potential violation of this Code, nor will the Township tolerate any retaliation against an employee who has made such a disclosure or participated in an investigation. However, an employee making false accusations will be disciplined.

8. Reporting Allegations

In addition to the self-disclosure obligation, any suspected wrongdoing or breach by another employee must be reported to their Department Head or the CAO in writing. In cases where the Department Head is the person conducting the inappropriate behaviour, wrongdoing or breach of the Code, the employee will report the issue 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 or two members of Council.

All employees must cooperate fully during an investigation of suspected wrongdoing in relation to any activities outlined in the Code. When in doubt about the interpretation of application of this Code, clarification should be sought from the Department Head or the CAO.

9. Non-Compliance

Upon receipt of an alleged contravention, the CAO in consultation with the employee's Department Head will determine the form of the investigation to be conducted. Additionally, the CAO will consult with the Department Head, should the contravention be verified, to determine the appropriate action, taking into account the circumstances. Written legal opinion from the Township's Solicitor may be sought. This process will protect the Township's legal interests in potential subsequent disciplinary actions, protect the rights of those employees involved, and prevent

further losses or damages to the Township. Any transgression of a legal nature will be reported to the appropriate police authority.

Any employee under investigation may be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the Township. Failure to comply with this or any other Township policy may result in discipline up to and including termination.

10. Management Responsibility

As part of effective management, each Department Head and the CAO must ensure that its employees are aware of, and act in compliance with this Code and any related policies.

The Township Management Team is accountable for protecting the assets of, and the public trust in the Township. Toward this end, management must make every reasonable effort to establish and maintain adequate systems, procedures and controls to prevent and detect fraud, theft, breach of trust, conflict of interest, bias, and any other form of wrongdoing that may contravene this Code.

11. Use of Township Property and Assets

The Township has an obligation to ensure that services, equipment and vehicles are only used in a manner which the public may expect. The Township also has a moral obligation not to compete with members of the community who provide services on a fee for service basis. Township property and assets shall not be used by employees for any purpose which is not also available to the public.

Employees are subject to the same rules as the public regarding waste disposal; dumpsters at Township installations and facilities are not for disposal of personal waste and tipping fees at the transfer station will apply to everyone.

Township equipment provided to employees in the performance of their duties, such as portable tools, vehicles, pagers, cell phones, and safety equipment are to be used for Township business only. This does not preclude their use in an emergency situation.

Employees shall only use Township property and assets for the discharge of official duties, unless proper authorization has been granted by the Department Head or the CAO. Employees must ensure that any property in their care, as part of their job duties, is properly secured and protected at all times. This extends to the use and security of corporate credit cards or access codes.

Township assets are to remain on Township property at all times unless it is necessary to take the items off site to perform the employee's job. The Township's electronic networks are corporate assets and the employees must be aware that communications over the Township's various electronic networks are not to be considered private communications.

While the Township expects all employees to use its email and network systems for official business use and reserve the right to access, use and disclose all messages sent over its email and network systems for any purpose. Employees shall not:

- Send harassing, discriminatory or pornographic messages;
- Leak confidential information;
- Download or store illegal pirated data or personal inappropriate materials;
- Allowing others who are not authorized users to access and utilize Township equipment or software; or
- Otherwise violate this policy or any other Township policy with respect to the use of Township property and assets.

Much of the data on the internet presents risks to the Township such as viruses, breaches of copyright and reliance on outdated information. Therefore, the following guidelines apply to all Township employees:

- Do not open emails from contacts you do not know, or open suspicious attachments;
- Follow all terms and conditions of software licenses and copyright laws when collecting or using information from the internet;
- Do not download software from the internet unless authorized by the Department Head or the CAO;
- Any contribution to pirate software bulletin boards and similar activities represents a conflict of interest with the Township's work and is therefore prohibited;
- Only indicate your affiliation with the Township in internet newsgroups, bulletin board discussions, and other offerings when the message is sent for Township business purposes;
- Use of the Township's internet resources for personal purposes, playing games or participating in other activities not related to your job function is not permitted on Township time;
- As a benefit, you may be provided access to the internet for personal purposes. This should occur on personal time.

All messages sent over the Township's network systems and electronic devices are Township records. At any time and without prior notice, Township Management reserves the right to examine and analyse emails, files, internet access logs, and other information stored on Township electronic devices. Employees should have no expectation of privacy associated with the information they store in or send through these systems, whether encrypted or not. The Township maintains the authority to review internet usage logs, to act upon inappropriate usage of Township assets and restrict access to resources at various times.

Employees shall return all Township owned property upon the termination of his/her employment. This would include but not limited to: cellular/smart phone, computer/electronic hardware, electronic software etc. Additionally, the employee will deliver to the Township all drawings, correspondence, documents and all other intellectual property belonging to the Township that may be in the employee's possession or control. This includes property made or prepared by the employee and relating in any way to the affairs of the Township. With permission, employees may retain samples of their work if such work was in the public domain.

12. Security of Information and Confidentiality

It is every employee's responsibility to ensure that all information collected, produced or obtained in the course of their duties, whether in the form of reports, general information, oral communications, or electronic format, is as accurate as possible. No employee shall wilfully mislead other employees, Members of Council or the public, about any issue of Township concern. Only with proper authority shall employees give or release to anyone, confidential information acquired in the course of that person's duties with the Township.

Employees shall keep confidential any information:

- Disclosed or discussed at a Committee or Council meeting, or part of a meeting, that was closed to the public;
- That is circulated to Members of Council or employees that is marked confidential. Any documentation that is marked confidential shall be kept securely until no longer required in the course of business and shall at that time be destroyed by the Clerk or CAO in accordance with the Township's Record Retention schedule
- That is received in confidence verbally through an internal workplace discussion or in preparation of a closed session meeting of Committee or Council.

The obligation to keep information secure and confidential applied even if the employee ceases to be an employee of the Township.

Confidential information includes information in the possession of, or received in confidence by the Township that the Township is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), or other legislation. Generally, the MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, information that is sensitive in nature, and information that is subject to solicitor-client privilege. This is not an exhaustive list of restrictions of disclosure of information under MFIPPA. Employees should consult the Township Freedom of Information (FOI) Coordinator (Clerk) if clarification is required.

No employee shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of this office. Nor shall any employee use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

Employees should not access or attempt to gain access to confidential information in the custody of the Township unless it is necessary for the performance of their duties and not prohibited by this Code or any other Township policy.

13. Protection of Information

Township records are available to employees on a "need to know" basis, and the security of such information must be maintained as noted in Section 12 of this Code.

All information respecting commercial, financial, technical, or third-party information belonging to the Township, supplied to the Township, or information that has monetary value to the Township, should only be released where doing so would be in the interest of the Township and in compliance with relevant legislation.

Personal information controlled by the Township must be used or disclosed in compliance with the MFIPPA. MFIPPA allows employees to use personal information if they require that information to carry out their duties, and if the affected individual reasonably expects that their personal information would be used this way. When an employee proposes to disclose someone's personal information, the written consent of the affected individual is generally required. The FOI Coordinator (Clerk) should be consulted when it is not possible to obtain the individual's consent or for any details concerning consent requirements.

Employees shall protect the following examples of information, but not limited to, others from illegal, unauthorized or inadvertent use and disclosure:

- Client records
- Information contained in business strategies and plans
- Pending proposals or contracts
- Estimates prior to tender openings
- Unannounced services
- Financial data and projections
- Proposed acquisition and divestitures
- Information Technology

These guidelines within this Code extend beyond an employee's current relationship with the Township. For example, employees should not divulge to the Township any confidential information obtained from their former employer. Similarly, when an employee leaves the employment of the Township, they are not to disclose information that could be detrimental to the Township, individual or firm owning the information.

14. Principles of Conduct

Employees shall not:

- Engage in any business or transaction or have a financial or other

- personal interest that is incompatible with the discharge of the employee's official duties;
- Be under an obligation to any person who might benefit from special consideration or favor from the employee or who might seek, in any way, preferential treatment;
 - Give, in the performance of official duties, preferential treatment to relatives or friends or to organizations in which relatives or friends have an interest, financial or otherwise;
 - Deal with an application to the Township for a loan, grant, award, or other benefit which involves themselves or immediate relatives;
 - Be in a position where the employee could derive any direct or indirect benefit or interest from any contracts about which the employee can influence decisions;
 - Benefit from the use of information acquired during the course of official duties that is not generally available to the public;
 - Engage in any outside work or activity or business undertaking:
 - That interferes with the employee's duties
 - In which the employee has an advantage or appears to have an advantage derived from employment at the Township
 - In a professional capacity that will or might appear to influence or affect the carrying out of duties as a Township employee
 - Use Township property, equipment, supplies or services for activities not associated with the discharge of official duties

15. Media Relations

Relations with the media shall be conducted in keeping with the Township's commitment to open and transparent government and serving an informed public.

Communications with the media and public will be conducted so that all information originated from an authoritative source with the Township. The official spokespersons for the Township include the Mayor and CAO or other approved spokespersons as designated by the CAO. The use of media to promote, discuss or converse about the Township business or events will be utilized only by approved spokespersons.

It is not the intent of this Code to restrict the ability of employees to express a personal opinion on matters of general interest. In such cases, the employee must make it clear that the comment is being made in their capacity as a private citizen, and not as a representative of the Township, as per the Township's Social Media Policy. Employees should refrain from putting forth speculative or subjective insights. Additionally, employees must use caution to ensure that the Township's interests are not compromised in any way, either by the use of Township letterhead, email addresses or by any other means.

16. Conflict of Interest

An employee will be considered to have a conflict of interest, where they, or a relative, have a direct or indirect financial interest in a contract, or proposed dealing or other matter with the Township, and where the employee could potentially influence the Township's decision with respect to that issue.

If a potential conflict exists, the employee shall advise their Department Head or the CAO of the situation, in writing and the Department Head or the CAO will then make appropriate alternative arrangements to handle the matter. The Department Head or the CAO may, at their discretion, decide that the potential conflict is not significant enough to prevent an employee's continued involvement in the matter.

Some of the more common areas of potential conflicts include, but not limited to the following:

- An employee may not make a personal bid on the sale of Township property or goods, except those disposed of at public auction or sealed bid;
- The choice of suppliers of goods and services to the Township must be based on competitive considerations of quality, price, service and benefit to the Township, and must comply with its policies. Contracts will be awarded in a fair and legal manner and are subject to the established Procurement Policy. Use of one's position or knowledge to influence this process for direct or indirect personal gain is prohibited. Employees must not represent themselves as being in a position to commit the Township to the purchase of goods or services except in accordance with relevant policies and practices, and within the recognized authority of their position;
- When it is necessary to engage the services of an individual or firm to consult for, or otherwise represent the Township, special consideration must be given to avoid conflicts of interest between the Township and the person or firm to be employed. Hiring of such agents must be done in accordance with the Procurement Policy and Conflict of Interest policies;
- Any employee that believes they, or someone else, is in breach of these provisions must comply with the disclosure requirements of the Code;
- Any doubt whether an employee is in conflict of interest should be addressed by a note in writing by the employee to his or her manager seeking direction on the matter;
- Post-employment conflict: employees shall not act, after they leave employment, in such a manner as to take improper advantage of their previous employer.

Notwithstanding the above mentioned, an employee may act in his/her own interests in matters relating to his/her property arising from Provincial legislation, such as the Building Code Act, the Planning Act, the Drainage Act etc., and from Township legislation and policies, insofar as it directly impact's the employee's property.

17. Gifts, Benefits and Hospitality

The objective of Township policies is to ensure that employees make decisions based on impartial and objective assessment of each situation, free from influence of gifts, favours, hospitality or entertainment. The responsibility to avoid actual or perceived conflicts rests with each employee. However, guidance should be sought from the Department Head or the CAO.

Employees shall neither offer or accept any gifts, favours, hospitality or entertainment that could reasonably be construed as being given in anticipation of future, or recognition of past "special consideration" by the Township. Employees may not accept travel, accommodations, or other forms of hospitality when speaking at conferences where the purpose of the event is to solicit business from the Township or other consumers. The public's perception of the integrity of the Township and its employees is of great importance.

Employees are not precluded from accepting the following as exceptions:

- Compensation or benefit authorized by Council, the CAO or by law;
- Personal gifts, benefits, rewards, commissions or advantages from any person or organization not connected directly or indirectly with the performance or duties of employment;
- Token gifts, souvenirs, rewards, mementos, benefits, small honourarium or hospitality received in recognition for services, for speaking at an event or for representing the Township at an event;
- Where employees are asked to speak or make presentations to share information, it may also be permissible to accept the offer of travel and/or accommodations. Employees should, however, consult with his/her Department Head or CAO before accepting any offers.

- Food and beverages at banquets, meetings, receptions, ceremonies, or similar events if:
 - Attendance serves a legitimate business purpose;
 - The person extending the invitation or a representative is in attendance; and
 - The value is reasonable and the invitations are infrequent.
- Promotional items of nominal value (e.g. mugs, hats, shirts, coats, pens etc.);
- Reimbursement of reasonable expenses incurred in the performance of duties, as per the Expense Reimbursement Policy;
- Gifts of a nominal value that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of the employee's duties and employment.

Employees should protect their integrity and prevent the appearance of a bias or conflict by refusing all other forms of gifts. Employees shall return any gifts or benefits which exceed these limits, along with reporting the matter to his/her Department Head or CAO, with an explanation of why the gifts or benefits cannot be accepted. The exceptions listed above do not apply where a gift or benefit is provided by a lobbyist or a lobbyist's client, or employer.

If an employee receives a gift or benefit and the value of the gift or benefit exceeds \$100, or if the total value received from any source during the course of a calendar year exceeds \$100, the employee shall, within 30 days of the receipt of the gift or benefit, or of reaching the annual limit, file a disclosure statement with the CAO.

Disclosure statements shall indicate the following:

- Nature of the gift or benefit;
- Its source and date of receipt;
- The circumstances under which it was given or received;
- Its value or estimated value;
- What the recipient intends to do with it; and
- If the gift or benefit will be returned or retained by the Township or disposed of for charitable purposes.

Employees will not benefit from the use of information acquired, or used, and that is not generally available to the public, during the course of official duties.

18. Political Activity and Neutrality

In accordance with Section 30(1) of the Municipal Elections Act, employees are prohibited from being a candidate for or to be elected as a member of the council that is their employer unless they take an unpaid leave of absence beginning as of the day the employee is nominated and ending on voting day. Section 30(4) of the Municipal Elections Act stipulated that an employee who is elected to the office shall be deemed to have resigned from the employment immediately before making the declaration of office referred to in subsection 232(1) of the Municipal Act.

Employees are entitled to exercise their right to support or be involved in a political campaign of a municipal, provincial, or federal candidate, or party, provided they do so on personal time and do not hold themselves out as representatives of the Township. However, employees must be politically neutral in their official employment duties in order to sustain public trust in local government. Employees should obtain approval from their Department Head or CAO prior to speaking publicly on a matter where they may be perceived to be representing a Township policy.

Employees shall treat all members of Council with professionalism and courtesy but must not favour, nor be seen to favour, the interests of one Councillor, or other elected official over the interests of Council as a whole. Employees shall observe the approved processes the Township has implemented for reporting confidential information and other matters to Council.

19. Community and Public Engagement

The Township encourages employees to take part in community and public activities. However, it is important to bear in mind that such service may, at times, place the employee in a real or perceived conflict of interest situation. As a member of a community group/board or external committee, the employee must continually assess their involvement and expected decision-making responsibilities in light of their employment with the Township. To ensure the existence and appearance of objectivity, employees should abstain from involvement in those decisions or votes that would create, or be seen to create, a conflict of interest. An employee shall notify their Department Head or CAO of such potential or actual conflict of interest situations.

No employee shall charge a fee for taking part, during paid working hours, in a public speaking engagement such as a public radio/television broadcast, website broadcast, or conference to which he/she was invited as a direct result of his/her position as an employee of the Township. Accepting a nominal gift for a speaking engagement during paid working hours is not a violation of this policy. It is not a violation of this policy for employees to charge or accept a fee for speaking engagements during time off work which is unpaid unless such employees are representing the Township. All requests that employees are invited to speak at a public engagement as a result of the discharge of duties as a Township employee must be pre-approved by his/her Department Head or the CAO.

20. Substance Abuse

To preserve the health, safety and well-being of employees and members of the public, the Township has zero tolerance for the use of, possession of, and those being under the influence of alcohol, narcotics, or non-medical drugs when reporting to work or while on duty, or on any premises or in any vehicle of the Township, as per the Township's Fit for Duty Policy.

21. Other Employment and External Commitments

Employees are dedicated to ensuring the Township's success in meeting its goals in the community. To ensure continued commitment to service levels, employees are expected to avoid other employment, business activity, or other undertaking while on duty or if it interferes with the performance of his/her duties for the Township. Additionally, other employment or business activities should be avoided if it generates a conflict of interest, is in conflict with a Township bylaw, plan, policy, or the interest of the Township, or if the individual derives some form of benefit by virtue solely of his/her employment with the Township.

For clarification, other employment shall mean working for another employer, being self-employed, or working for a charitable, or volunteer organization which results in receiving or being eligible to receive profit, payment of compensation, or other benefit from that employer or charity.

22. Family/Personal Relationships

As a public sector employer responsible for providing a variety of programs and services to the community, Township employees must ensure that their personal lives and their official duties co-exist independent of each other.

One area of concern is with respect to "nepotism" or the appointment to a position or the receipt of an employment benefit based on one's kinship or family relatives. As in other areas of Township business, there is an expectation, shared by the public and Township employees alike, that all hiring, promotions, performance appraisals or discipline will be undertaken in an objective and impartial manner. In order to meet this expectation, the Township prohibits employment situations where relatives would be:

- Supervised by, or subordinate to, one another;
- Given preferential treatment in being recruited and/or selected for vacancies;

- Appointed to positions where job responsibilities would be incompatible with positions occupied by relatives.

Should these, or any other nepotism issues arise, employees are required to disclose the particulars to his/her Department Head and CAO for appropriate resolution.

A related concern surrounds the personal relationships between employees and friends that are in receipt of Township services, especially those persons that may be seen to be vulnerable clients. The Township currently prohibits any employee from giving "preferential treatment to relatives or friends, or to organizations which relatives or friends have an interest, financial or otherwise."

Once again, the integrity of the Township as an objective and impartial public service provider may be jeopardized when an employee's personal relationship with a client appears to be the reason that the person is in receipt of the Township service or program.

23. Unlawful Activity/Fraud/Theft/Breach of Trust

In general, fraud is an act committed which, through deceit, falsehood, or other such behaviour, either deprives the Township of its assets, property or other resources (including theft), or causes the Township to act to its own detriment or prejudice.

Fraud may include acts committed with the intent to deceive, involving either misappropriation of Township assets, property or other resources or misrepresentation of financial or other information to conceal such misappropriation.

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

- Manipulation, falsification or alteration of records or documents
- Using deceit to gain a personal advantage, pecuniary interest, or benefit for oneself and/or others
- Illegally obtaining money, including the solicitation and/or acceptance of bribes or favours
- Intentionally providing false, incomplete, or withholding information from Council or Township management
- Intentionally circumventing Township policies or procedures to gain a person advantage for oneself and/or others
- Recording of transactions without substance
- Misapplication of accounting principles
- Undertaking any other illegal activity

All employees shall work in accordance with both the Township controls established to prevent fraudulent misconduct and all applicable laws, regulations, and government guidelines. All employees shall exercise honesty, integrity, objectivity, and diligence and shall not knowingly be a party to any fraudulent activity, including theft. Each employee is encouraged to report, in writing, any knowledge or suspicion of fraud to the CAO.

Township management is responsible for ensuring that adequate internal controls are in place to prevent and detect fraud. Management is accountable for monitoring employee activity and performance and ensuring that employees are aware of, and in compliance with, controls, policies and procedures. All confirmed incidents of fraud or theft committed against the Township will be viewed as acts of criminal activity and will be treated accordingly.

24. Declaration

All employees are required to review and acknowledge that they have received this policy by signing the declaration form (Appendix A).

**Appendix A
Bylaw 2020-31**

DECLARATION

I, the undersigned, acknowledge the following:

That I have received a copy of the Employee Code of Conduct Policy and that I have read the contents of this policy.

That the Employee Code of Conduct outlines the expectations of my conduct as an employee of the Township of Edwardsburgh Cardinal and that I will abide by this Code.

That I have been given the opportunity to ask questions and seek clarification regarding the Employee Code of Conduct.

That any breach or contravention of the Employee Code of Conduct will be considered as grounds for discipline up to and including dismissal.

Employee Name (Print)

Employee Signature