



BY-LAW # 04-2012

**CODE OF ETHICS AND PROFESSIONAL
CONDUCT FOR MUNICIPAL EMPLOYEES
OF THE MUNICIPALITY OF THORNE**

CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE MUNICIPAL EMPLOYEES OF THE MUNICIPALITY OF THORNE

Whereas the *Municipal Ethics and Good Conduct Act*, which came into effect on December 2, 2010, obliges local and regional municipalities to adopt a code of ethics and professional conduct for municipal employees;

Whereas the council of any municipality that does not have such a code that meets the requirements of the *Municipal Ethics and Good Conduct Act* must adopt one by by-law no later than December 2, 2012;

Whereas the formalities set out under the *Municipal Ethics and Good Conduct Act* have been respected;

Whereas a notice of motion has been given by K. Kelly on September 11th, 2012

It is moved by K. Kelly and resolved to adopt the following code of ethics and professional conduct:

SECTION 1: TITLE

The title of this code is: Code of Ethics and Professional Conduct of the Employees of the Municipality of Thorne

SECTION 2: APPLICATION OF THE CODE

This code applies to every employee of the Municipality of Thorne

SECTION 3: OBJECTIVES OF THE CODE

This code has the following objectives:

- 1) Give priority to the municipality's values;
- 2) Establish standards of conduct that foster the integration of these values;
- 3) Prevent ethical conflicts and, should any arise, resolve them effectively and with discernment;
- 4) Apply control measures to breaches of ethics.

SECTION 4: VALUES OF THE MUNICIPALITY

The following values shall serve as a guide for the conduct of municipal employees, especially when the situations encountered are not explicitly provided in this code or by the various policies of the municipality.

1) Integrity

All employees shall uphold honesty, rigor and justice.

2) Caution in pursuing the public interest

All employees shall assume the responsibilities related to their mission of public interest. In the accomplishment of this mission, the employees shall act with professionalism, vigilance and discernment.

3) Respect toward other municipal employees, council members and citizens

All employees shall foster respect in interpersonal relations. They are entitled to it and shall act with respect toward all people they deal with in the pursuit of their duties.

4) Loyalty to the municipality

All employees shall protect the interests of the municipality by upholding its laws and bylaws.

5) Quest for equity

All employees shall treat everyone fairly, in accordance with laws and by-laws.

6) The honor attached to the function of municipal employee

All employees shall safeguard the honor attached to their functions, which presupposes the constant practice of the five preceding values: integrity, prudence, respect, loyalty and equity.

SECTION 5: RULES OF CONDUCT

5.1 Application

The rules in this section shall guide the conduct of municipal employees.

5.2 Objectives

These rules aim, in particular, to prevent:

- 1) any situation where the personal interest of an employee can influence their independent judgment in carrying out their functions;
- 2) any situation that would violate any provision of a government law or by-law or a municipal council by-law or an employee guideline;
- 3) favoritism, embezzlement, breach of trust or other misconduct.

5.3 Conflicts of interest

5.3.1 It is forbidden for employees to act or attempt to act, or omit to act, in the exercise of their function, in order to foster their personal interests or improperly further those of another person.

5.3.2 It is forbidden for employees to use their position to influence or attempt to influence another person's decision so as to further their personal interests or improperly further those of another person.

5.3.3 It is forbidden for employees to solicit, encourage, accept or receive any benefit, for themselves or for another person, in exchange for taking a position.

5.3.4 It is forbidden for employees to accept any gift, hospitality or other benefit, whatever its value, that may influence their independent judgment in carrying out their duties or risk compromising their integrity.

5.3.5 If an employee receives any gift, mark of hospitality or other benefit that is not of a purely private nature or not prohibited under subsection 5.3.4, but that exceeds \$200 in value, the employee must file a written disclosure statement with the director general of the municipality within 30 days of receiving the benefit. The disclosure statement must contain an accurate description of the gift, mark of hospitality or benefit received, and states the name of the donor, the date and the circumstances under which it was received. The director general shall keep a public register of these disclosure statements.

5.4 Use of municipal resources

It is forbidden for employees to use municipal resources for personal purposes or for any purpose other than activities related to their duties, subject to a specific policy controlling that use.

This ban does not apply when an employee uses, under non-preferential conditions, a resource placed at the disposition of the citizens.

5.5 Use or communication of confidential information

Employees must not make use of confidential information they obtain in or in connection with the execution of their duties. These obligations continue for a reasonable time after the termination of employment and continue indefinitely when the information concerns to the reputation or private life of others.

5.6 Breach of trust and embezzlement

It is forbidden for employees to misappropriate municipal property for their own use or the use of another person.

SECTION 6: PREVENTION MECHANISM

Employees who feel they have been placed directly or indirectly in a situation of real, potential or apparent conflict of interest, or who are likely to otherwise contravene this code of ethics and professional conduct, shall advise their immediate supervisor.

In the case of the general manager, he or she must advise the mayor.

SECTION 7: BREACH AND DISCIPLINARY MEASURES

A violation by an employee of a rule set out in this code of ethics and professional conduct may, on the decision of the municipality and subject to any employment contract, lead to the application of disciplinary measures appropriate to the nature and severity of the violation.

SECTION 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This code shall not be interpreted to restrict the obligations imposed on municipal employees by laws, by-laws, and codes of professional conduct, work contracts including collective agreements, policies or municipal guidelines.

SECTION 9: ENTRY INTO FORCE

This by-law shall come into force in accordance with the law.

Ross Vowles, Mayor

Annie Beauregard, Director General