



Human Resources Committee Agenda

Thursday, April 5, 2018
Council Chambers
Administration Centre, Walkerton

1. Declaration of Pecuniary Interest
2. Action Items
 - A. D7 - Student Wages and E8 - Staff Code of Conduct Policy Revisions
3. Next Meeting

May 3, 2018
4. Adjournment



Committee Report

To: Warden Paul Eagleson
Members of the Human Resources Committee

From: Marianne Nero
Director of Human Resources

Date: April 5, 2018

Re: D7 - Student Wages and E8 - Staff Code of Conduct Policy Revisions

Recommendation:

That policies D7 - Student Wages and E8 - Staff Code of Conduct be approved, as amended.

Background:

The County's Human Resources policies have been designed to create a culture of inclusion, fairness, transparency and consistency. They provide a description of the County's obligations and responsibilities to its employees and serve to ensure that employees receive equal treatment. Policies provide guidance to managers and Human Resources staff in determining the appropriate course of action when dealing with specific issues.

Two new policies have been crafted to ensure that the County's obligations and expectations continue to guide our workplace:

- The HR Policy E-8, Staff Code of Conduct outlines the County's expectations for ethical, professional standards of conduct for employees. This policy replaces the existing E - 8, Code of Ethics Policy.
- The HR Policy D-7, Student Wages reaffirms the County's commitment to meet and/or exceed Ontario's Employment Standards Act, 2000 as it pertains to wages for students. This policy replaces the existing HR Policy D-7, Student Wages.

We are recommending the current policies be rescinded and the new policies be effective April 5, 2018.

Financial/Staffing/Legal/IT Considerations:

There are no financial, staffing, legal or ITS considerations associated with this report.



Corporation of the County of Bruce
Human Resources

brucecounty.on.ca

Interdepartmental Consultation:

Senior Management Team

Link to Strategic Goals and Elements:

Goal #5 - Reduce our own red tape.

Approved by:

Kelley Coulter
Chief Administrative Officer

Attachments:

Appendix A - Policies to be Rescinded

Appendix B - Policies Recommended for Approval

THE CORPORATION OF THE COUNTY OF BRUCE

**SECTION: D - JOB EVALUATION/
COMPENSATION**

POLICY: D7. Student Wages

STUDENT WAGES

Coverage: All students employed by the Corporation

Policy Statement:

The Corporation of the County of Bruce has established wage rates for student employees of the Corporation in order to provide consistency among all departments in the remuneration of such employees.

Procedure:

Hourly wage rates will be as follows:	Jan. 1, 2014	June 1, 2014
Students employed for the first time by the Corporation	\$11.25	\$12.00
Returning or post-secondary students	\$12.25	\$13.00
Post-secondary students in specialized positions**	\$15.60	\$16.35

If a student employee is covered under a collective agreement, the wage rates of the collective agreement shall govern.

** To qualify for this wage rate, approval must be obtained from the Human Resources Department, which will verify the need for a pro-active recruitment strategy.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES **POLICY:** E8. Code of Ethics

Coverage: All employees

"ETHICS IS THE NAME THAT WE GIVE TO OUR CONCERN FOR GOOD BEHAVIOUR. WE FEEL AN OBLIGATION TO CONSIDER NOT ONLY OUR OWN PERSONAL WELL-BEING, BUT ALSO THAT OF OTHERS AND OF HUMAN SOCIETY AS A WHOLE".

Albert Schweitzer

The County has undertaken this initiative in order to both promote professionalism and to ensure that the relationship of trust that exists between staff and the public remains an integral part of local government in Ontario. Since its inception, local government has been understood to be an open, accessible and accountable form of government.

The purpose of a code of ethics for municipal employees is to foster universal understanding of the fundamental rights, privileges and obligations of a municipal public servant. A code of ethics serves as an embodiment of the basic principles of integrity, honesty, impartiality and common sense and recognizes that at the very least, a municipal public servant has a responsibility to uphold these principles.

The proper operation of a municipal government requires that employees be independent, impartial, and responsible to the citizens; that their positions not be used for personal advantage; and that the public have confidence in the integrity of the county employees.

The Code of Ethics is intended as a guide for municipal employees in their conduct in certain specified areas. It is not intended to be exhaustive or to provide specific guidelines in every circumstance.

In this policy, the use of a masculine pronoun shall be construed as if the feminine pronoun had been used where the context so requires.

(See the Appendix of Forms for the Acknowledgment and Conflict Notification Forms)

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

Policy:

Private Interests Defined

- A. Private interests are all those aspects of an employee's activity outside those connected with official municipal duties.
These include:
1. Financial interest;
 2. Paid and unpaid activities beyond official duty;
 3. Relationships with third parties who may be:
 - * employed by the County
 - * doing business with the County
 - * seeking employment or benefits from the county
- B. It is important to emphasize that conflict of interest relates to the potential for wrongdoing as well as to actual or intended wrongdoing.

Outside Employment

- A. No employee may engage in outside work or a business undertaking as an employee or shareholder that:
1. Interferes with the performance of duties under the employment of the County;
 2. May provide an advantage derived from County employment;
 3. Is likely to influence or affect the carrying out of municipal duties;
 4. Is the same as, or parallel to, the function in which the individual is employed by the County of Bruce.
- B. Employees may take supplementary employment, including self-employment, unless such employment:
1. Is performed in such a way as to appear to be an official act, or to represent a municipal opinion;
 2. Unduly interferes with regular duties;
 3. Constitutes an additional full-time job.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

- C. Senior Managerial and Supervisory Employees shall obtain permission from their Department Head before engaging in any non-civil part-time employment. Department Heads must obtain permission from the Chief Administrative Officer before engaging in any non-municipal part-time employment.

Note: If the employment is of a controversial nature, the matter should be referred to the CAO for approval.

Gifts, Favours and Services

- A. A County employee shall not accept a gift, favour or service from any individual or organization in the course of the performance of civic duties other than:
1. the normal exchange of hospitality among persons doing business, in an amount not to exceed \$100.00;
 2. tokens exchanged as a part of protocol;
 3. normal presentations made to persons participating in public functions.
- B. Monetary or other payment may not be accepted for the performance of any service connected to municipal government.
- C. Employees shall not use the name "Corporation of the County of Bruce" to obtain discounts for privately purchased goods and services. Likewise, goods and services shall not be purchased by employees through any municipal purchasing agency and using payroll deduction for personal use, unless previously authorized by Council.
- D. Employees shall not receive or demand preferential treatment in the use of municipal facilities or services unless it is a requirement of formal duties or as provided for under the authority of Council.

Misuses of Property and Information

County property, including vehicles, equipment and material, shall be used only in the performance of municipal duties and shall not be used or converted for personal benefit or non-County use.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

- A. Unauthorized use of County property for other than civic purposes may be construed as theft and may result in disciplinary action, up to and including dismissal.

- B. Every employee is held responsible for exercising all reasonable care to prevent abuse to, excessive wear of, or loss of, County equipment or material entrusted to the employee's care.
 - 1. Loss of, damage to, or unusual wear of such equipment or material may be interpreted as evidence that adequate care has not been exercised.
 - 2. This loss or damage may be recovered by the County through payroll deduction or otherwise, and the employee responsible may be subject to disciplinary action.

- C. County employees are entrusted with information and data used for the administration of the municipal government and not generally available to the public. Moreover, certain employees have access to information of a sensitive or confidential nature, which is not to be made known to others in the Corporate structure. Both types of information must be distributed on a need-to-know basis only.

- D. Systems, procedures, reports and information developed by the County shall not be given or loaned to, or shared with, any other persons, company or organization without the permission of the appropriate Department Head. The approval of the Chief Administrative Officer must be secured before information regarding computerized systems is divulged.

- E. Indiscriminate or negligent disclosure of information may cause:
 - 1. embarrassment to individual County employees;
 - 2. betrayal of a trust or confidence;
 - 3. the creation of false impressions for the public or County employees -
 - * such action may result in disciplinary action being taken;
 - * disclosure of information for personal gain or advantage is a form of theft.
 - 4. civil litigation.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

Public Statements

- A. The Department Head is responsible for making any statement concerning their department to the news media.
1. In large departments the responsibility may be delegated to subordinates.
 2. No statement on future County policy or future planning may be issued without prior approval from the Chief Administrative Officer.
- B. Statements to the news media shall be confined to the topic at hand -
1. Only factual information will be included, no personal judgments, or opinions.
 2. Statements should be written rather than oral, whenever possible.

Criminal Code Offences

Any employee charged with an offence under the Criminal Code of Canada may be suspended from employment dependent on the nature of the offence and its relationship to the duties of the employee.

1. Circumstances will dictate whether the suspension is with or without pay;
2. Conviction of any moral offence may result in dismissal.

Dealing With Relatives

An employee will not, without permission from Council, allot any work to or order supplies over \$500.00 from:

1. an immediate relative;
2. a firm or partnership in which an immediate relative, alone or with other relatives, holds more than a 25 percent interest;
3. an incorporated company in which an immediate relative, alone or with a spouse, parents, children, brothers or sisters, holds more than 25 percent of the issued capital stock of the company.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

Political Activity

- A. County employees may run for and serve in elected offices providing no conflict of interest exists between the elected office and the employee's responsibilities to the County.
 - 1. County staff at the senior level (Chief Administrative Officer and Directors) shall not be involved in Municipal political activities.

- B. All requests for leaves of absence for running for School Board Trustee or Municipal Council will be forwarded by the Department Head to the Chief Administrative Officer who, in determining a recommendation, will consider if such action is:
 - 1. likely to impair public confidence in the existing or subsequent performance of the employee's official duties;
 - 2. likely to interfere with the time and attention the employee is required to devote to the civic position;
 - 3. in affiliation with or sponsored by a Provincial or Federal political party;
 - 4. warranted considering the leave and number of employees applying or already granted leave of absence.

- C. A County employee will be entitled to a leave of absence without pay or benefits during campaigning for a provincial or federal election.
 - 1. Upon election the employee must resign from the County.
 - 2. An employee who is not elected will be entitled to return to the same or similar employment effective the day after the election.

Penalties and Appeals

- A. Any infraction or transgression of the Code of Ethics may result in the County taking the following action:
 - 1. Instruct the employee to divest himself/herself of the outside interest or transfer it to a blind trust;

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

2. Transfer the employee to another division of the department or arrange a transfer to another department (if a position is available);
 3. Remove the employee temporarily from the duties, which brought about the conflict of interest;
 4. Accept the resignation of the employee;
 5. Initiate disciplinary action in the form of:
 - a) an oral or written reprimand;
 - b) suspension without pay for a period of time;
 - c) a recommendation that the employee be dismissed.
 6. Press criminal charges.
- B. The employee may appeal as prescribed in a union contract or the Personnel By-Law.

Fiduciary Duty

Certain employees of the County are bound by a "fiduciary duty" to the County, which extends beyond termination of employment. For greater clarity, the policy on fiduciary duty is presented below.

A number of County employees, which includes the senior management group, as a result of their job duties and functions, and the information that comes to them in the course of those duties and functions, are in a position of trust with the County. In law, this trust is referred to as a "fiduciary duty" owed by the employee to the County. An employee who is bound by a "fiduciary duty" to his employer must not enter into an arrangement in which he has or can have personal interest conflicting with the interests of the county. A fiduciary may not retain himself or divest to another person with whom he is associated, any business opportunity or business arrangement in which the County has an interest.

At law, this "fiduciary duty" extends beyond the termination of employment to preclude the former employee from soliciting directly the contacts of his former employer or from obtaining over his former employer any business advantage that arises by reason of his former employment. He may not obtain for himself an opportunity sought by the County nor use privileged information that he has obtained during the course of his employment for his own use or benefit.

THE CORPORATION OF THE COUNTY OF BRUCE

SECTION: E - WORKPLACE PRACTICES POLICY: E8. Code of Ethics

Severability

The provisions of this Code of Ethics are severable and if any provision, section, or word is held invalid or illegal, such invalidity or illegality shall not affect or impair any of the remaining provisions, sections or words.

Procedure:

Compliance

- A. This Code of Ethics must be observed by all employees of the Corporation.
- B. Supervisors are responsible for ensuring that employees are aware of this Code of Ethics, that it is regularly re-circulated and reviewed by employees, and that employees comply with its provisions.
- C. A supervisor who is of the opinion that an employee is breaching this Code of Ethics shall immediately notify his Department Head of this situation in writing.
- D. Compliance with this Code of Ethics constitutes a condition of employment, and breaches of the Code of Ethics may result in disciplinary action up to and including dismissal. When an employee has breached this Code of Ethics, the Department Head and the Director of Human Resources shall determine jointly if disciplinary action is warranted and, if so, what disciplinary action is appropriate. No employee shall be dismissed as a result of a breach of the Code except by authority of the Chief Administrative Officer.
- E. Where an employee has reason to believe that a supervisor or Department Head has committed a breach of this Code of Ethics, he/she may approach the Chief Administrative Officer directly and in strict confidence.
- F. All new employees shall read and subscribe in writing to this Code of Ethics upon commencing their employment with the Corporation.
- G. Employees are reminded that unethical conduct could in some circumstances constitute a criminal offence.



The Corporation of the County of Bruce

Policy: D7 – Student Wages

Section: D – Job Evaluation/Compensation

Department: Human Resources

Effective: April 3, 2014

Revised: January 1, 2018

1. **Coverage:**

All students employed by the Corporation

2. **Policy Statement:**

The Corporation of the County of Bruce has established wage rates for student employees of the Corporation in order to provide consistency among all departments in the remuneration of such employees, and to attract and retain students.

3. **Procedures:**

Hourly wage rates for both Seasonal Full-time, Contract and Year-round Part-time will be paid Ontario Minimum Wage Rates plus:

High school students under age 18:	Under 18 Minimum Wage + \$0.25
High school students 18 and over:	Minimum wage + \$0.25
Post-secondary summer students:	Minimum wage + \$0.50
Post-secondary students in positions requiring specialized skills/applied knowledge **:	Minimum wage + \$2.50

Co-op Students can be either paid or unpaid placements. Paid placements should follow the hourly wage rates above.

** To qualify for this wage rate, prior approval must be obtained from the applicable Department Director and Director, Human Resources as part of the annual budgeting process.

If a student employee is covered under a collective agreement, the wage rates of the collective agreement shall govern.



Policy: E8 Staff Code of Conduct

Department: Office of the CAO

Effective Date: April 5, 2018

Revision Date(s):

Review Date:

“Your life is a trajectory. Every choice you make alters that trajectory, in a positive or negative way. Will you categorize that dinner with friends as a business expense? Will you be honest with your daughter? Will you take more credit than you’re due? These are just the small questions that we face every day, and little by little, the answers influence the trajectory of our lives and beings.” – Donald Van de Mark

1. Coverage

This policy applies to all employees of the Corporate of Bruce County (hereinafter referred to as “Bruce County” or the “County”).

2. Purpose

- a) To provide staff of the County with a commonly understood and readily accepted code of conduct that guides our actions.
- b) To provide a unified statement of values and express who we are as County employees.
- c) To celebrate the path that we will travel down individually and collectively, and to identify the path we simply will not travel down.

3. Our Shared Values

We, the employees of the Bruce County, share the following common values:

- a) Being a part of Bruce County is a journey of exploration and discovery. We work for the County, and we are the guides.
- b) Part of being a guide means providing outstanding service to our fellows in the workplace, those who live here and carry out business, to those that visit, and ultimately to County Council.
- c) We are accountable beginning to end, working for the public interest, actually owning any questions until an answer is found.
- d) We deal with obstacles, but do not create our own. Instead, we innovatively build the bridges, work together inside and outside of the County to find resolutions and opportunities.
- e) Working for the County of Bruce provides a sense of discovery. What we can accomplish together is truly amazing.

4. The Path We Will Take:

By Ourselves and Those with Whom We Work:

- a) We will faithfully and diligently implement County Council directions through our policies, programs, operations and daily work.
- b) We shall provide honest and accurate advice and information to County Council, to assist them in making important informed decisions for the greater good of the Bruce County Community.
- c) A sense of honour and respect will guide the work that we do individually and collectively for the County. This means maintaining respect, loyalty trust and support for each other in our daily work.
- d) We shall employ our personal and professional passion at work, empower ourselves and others to operate with a great sense of pride, enthusiasm and professionalism.
- e) We will be authentic, and act out of a sense of integrity. This involves reaching out and engaging others, improving ourselves and others, and fixing what does not work.
- f) Our work involves the care for others, both those who we work alongside of and those we serve. We value open and transparent communications, and realize that our actions reflect upon ourselves, those we work with and our County.

- g) In a forthright and honest fashion, we communicate ideas, opinions and creative solutions for the betterment of all staff, and those we serve.
- h) We understand, help others learn about, and fully activate ourselves in other core values that guide our County. We take up the rally cry for workplace mental wellness and for the health and safety of our people, and for the elimination of harassment and violence in the workplace.

With Those We Serve:

- i) No matter the job description, we are all here to provide excellent customer service. This means being as helpful as we can in our own areas of expertise, as well as bringing in others when a solution is not at hand. There is no wrong door. "Not my department" is never uttered.
- j) We recognize and take pride in our role as public servants. We owe a duty of fidelity to the County of Bruce. We preserve, with determination, our impartiality and objectivity in undertaking our work, as we know this reflects positively on our organization.
- k) We earn and sustain the public trust. We do this because our advice to the public is frank, judicious, impartial, merit based, timely, and free from personal interest and/or judgement.
- l) The public expects accountability. We deliver this by sharing information in a clear manner, accepting responsibility for our individual and group actions, and submitting ourselves to public scrutiny.

5. The Path We Will Not Take:

At Bruce County, staff recognize that unbiased and professional judgment and wisdom must be employed on a daily basis. Individually and collectively, we fundamentally understand that we shall abide by the following:

- a) County employees will not engage in any criminal activity and must comply with all relevant applicable laws.
- b) Employees shall protect and make efficient use of County property and resources, which includes without limitation, vehicles, computers, data and records. Employees shall not be irresponsible or reckless with County property and resources.
- c) We will not use our status or position within the County to influence or gain a benefit or advantage for ourselves, our families, our business associates or others with whom we have a significant personal or business relationship.
- d) We do not knowingly place ourselves in situations of real, potential or apparent conflict of interest that arises from our work activities, such as, but not limited to making

recommendations to County Council, the CAO, procurement and hiring practices. When in doubt, or in cases where a conflict may be perceived as opposed to real, we immediately disclose potential conflicts to our supervisors, or designates, so that an objective determination might be made as to whether those circumstances adversely affect the County and should be avoided or discontinued.

- e) We do not take on outside employment, and/or engage in or hold a private business interest, where such employment or engagement is or can be seen to conflict with our duties (performance and/or impartiality) with the County.
- f) When in doubt regarding a real or perceived conflict when seeking ancillary employment or engaging a business interest, we proactively disclose and discuss the matter with our supervisor or designate.
- g) We do not accept gifts, hospitality and other benefits that may be extended in gratitude for our work, other than the normal exchange of gifts between friends or business colleagues, tokens exchanged as part of protocol or the normal presentation of gifts to people participating in public functions, with such gifts or tokens not exceeding fifty dollars in value.
- h) We protect and safeguard confidential and personal information, and use it only for the purposes for which it was originally collected or created. We will comply with protocols that guide the collection, storage, use, transmission and disclosure of information including without limitation, applicable legislation.
- i) We do not gossip or comment on the activities of those within our organization or those we serve.
- j) We will not knowingly disregard or manipulate management protocols designed to ensure the proper management of County activities.
- k) County employees will not take property and resources that belong to the County and use same for their own purposes.
- l) We will not make public announcements, or share opinions through the media (including social media) that are derogatory in nature towards others including, without limitation, the County, an elected official or a County staff member.
- m) We will not consume alcohol or illicit toxicants in a way that affects our performance and safety, or the performance and safety of our colleagues, or that negatively impacts us as a County. We shall not purchase or provide alcohol to others as part of our professional roles, other than in social situations outside of normal work hours.
- n) We shall follow the example outlined in the *Municipal Act* and refers individuals to the *Ontario Public Sector Employee Act* protocols. Individuals retain their right to vote in local, provincial and federal elections. However, we shall not publicly endorse candidates, make financial contributions, serve on a candidate's campaign team, sign or circulate petitions, or participate in fund-raising activities for candidates seeking or holding elected

office.

- o) If we are involved in volunteer work, the volunteer activity must not influence or conflict with decisions relating to the County. Employees are encouraged to exercise caution and exempt themselves when an item of County or local Council is before the volunteer body.
- p) The County may from time to time appoint an employee as a County representative on local, regional provincial or federal boards, panels, associations or committees. However, County staff shall not act as a citizen appointee to a standing committee of County Council or a local council.

6. Notes on Code Application:

- a) The application of a code of conduct is in of itself a journey. This code is not meant to cover all questions, situations or circumstances that may arise. Instead, it is designed to show who we are, how we would like to act, and to reinforce our expectations of each other. This code of conduct should evoke "ethical thinking" rather than forcing a standard. It is all about critically examining our actions, and asking ourselves "are we doing the right things"? If we are, then we are in good stead with each other, the public we serve and our elected officials.
- b) Some County employees are also bound by conduct standards found in applicable collective agreements and professional code standards. This code was written in a spirit so that it dovetails with the general principles of the other applicable codes.