



Staff Report

Administration – Human Resources

Report To: COW_Finance_Admin_Fire_Community_Services
Meeting Date: November 18, 2024
Report Number: FAF.24.136
Title: Follow-up Report- Draft Employee Code of Conduct Policy
Prepared by: Sarah Traynor, Manager of Human Resources

A. Recommendations

THAT Council receive Staff Report FAF.24.136, entitled “Follow-up Report- Draft Employee Code of Conduct Policy”;

AND THAT Council approve the new Corporate Policy entitled “Employee Code of Conduct, POL.COR.24.XX” and accompanying Complaint and Investigation Procedure as attached to this report.

B. Overview

The draft Employee Code of Conduct included in this report was initially presented in [Staff Report FAF.23.176](#) on November 27, 2023. Following this report, Council provided additional comments, facilitating further refinements, which were documented in [Staff Report FAF.24.010](#) on February 5, 2024. Legal counsel was further consulted to ensure compliance with employment laws. As a result of this comprehensive review, the revised draft of the Employee Code of Conduct policy, POL.COR.24.XX and the accompanying Complaint and Investigation Procedure are included in this report for Council's consideration and approval.

C. Background

The draft Employee Code of Conduct was first brought forward through [Staff Report FAF.23.176](#) at the Committee of the Whole (COW) meeting on November 27, with the following recommendations:

THAT Council receive Staff Report FAF.23.176, entitled “Employee Code of Conduct and Respectful Workplace Policies”;

AND THAT Council approve the new Corporate Policy entitled “Employee Code of Conduct, POL.COR.23.XX”;

AND THAT Council repeal corporate policy “Workplace Violence and Harassment, POL.COR. 18.08” and replace with two (2) new Corporate Policies, “Respectful

Workplace, POL.COR.23.XX and Workplace Violence, POL.COR.23.XX.”

At the November 27, 2024, COW meeting, Council provided the following direction to staff:

THAT Council receive Staff Report FAF.23.176, entitled “Employee Code of Conduct and Respectful Workplace Policies”;

AND THAT Council can provide additional comments to CAO Everitt and HR Manager Sarah Traynor by December 1, 2023, for inclusion and discussion at the December 18, 2023, Council Meeting as it relates to the new Corporate Policy entitled “Employee Code of Conduct, POL.COR.23.XX;”

Additional comments were provided by Council in advance of, and at, the December 18, 2023, Council meeting, and Council subsequently provided the following direction to staff:

THAT Council receive Staff Report FAF.23.176, entitled “Employee Code of Conduct and Respectful Workplace Policies”;

AND THAT Council can provide additional comments to CAO Everitt and HR Manager Sarah Traynor by December 1, 2023, for inclusion and discussion at the December 18, 2023, Council Meeting as it relates to the new Corporate Policy entitled “Employee Code of Conduct, POL.COR.23.XX”;

AND THAT Council direct staff to provide a follow-up report to Council in response to comments received at the November 27, 2023 Committee of the Whole meeting and the December 18, 2023, Council Meeting regarding the draft Employee Code of Conduct and Respectful Workplace Policies.

On February 5, 2024, staff brought forward [Staff Report FAF.24.010](#) entitled “Follow-up Report Employee Code of Conduct and Respectful Workplace Policies” which included responses to Council comments and additional revisions to the draft policies.

At the February 5, 2024, COW meeting, Council provided the following direction for staff:

THAT Council receive Staff Report FAF.24.010, entitled “Follow-up Report - Employee Code of Conduct and Respectful Workplace Policies”;

AND THAT Council approve the new Corporate Policy entitled “Employee Code of Conduct, POL.COR.24.XX”;

AND THAT Council repeal corporate policy “Workplace Violence and Harassment, POL.COR. 18.08” and replace with two (2) new Corporate Policies, “Respectful Workplace, POL.COR.24.XX and Workplace Violence, POL.COR.24.XX”;

AND THAT Council direct staff to bring back a “Whistleblower Policy” for

consideration in 2024;

AND THAT Council direct staff to undertake a further review of the “Respectful Workplace”, “Workplace Violence” and “Respectful Interactions with the Public” policies to provide clarity on the Town’s expectations regarding recording interactions with Town staff and bring back recommended revisions to the policies for Council consideration in 2024.

In response to additional comments provided by Council following the February 5, 2024, COW meeting, at the February 20, 2024 meeting, Council provided the following direction to staff:

THAT Council receive Staff Report FAF.24.010, entitled “Follow-up Report - Employee Code of Conduct and Respectful Workplace Policies”, and request staff provide a further report.

On May 13, 2024, Council received Staff Report [FAF.24.064 Updates to Workplace Violence and Harassment Policy](#), and approved the following recommendation:

THAT Council receive Staff Report FAF.24.064, entitled “Updates to Workplace Violence and Harassment Policy”;

AND THAT Council repeal corporate policy “Workplace Violence and Harassment, POL.COR. 18.08” and replace with two (2) new Corporate Policies, “Respectful Workplace, POL.COR.24.XX and Workplace Violence, POL.COR.24.XX”;

AND THAT Council direct staff to undertake a further review of the “Respectful Workplace”, “Workplace Violence” and “Respectful Interactions with the Public” policies to provide clarity on the Town’s expectations regarding recording interactions with Town staff and bring back recommended revisions to the policies for Council consideration in 2025.

The [Respectful Workplace policy, POL.COR.24.02](#) and [Workplace Violence policy, POL.COR.24.03](#) are posted on the Town’s website.

Regarding the draft Employee Code of Conduct policy, staff consulted with the Town's employment lawyer to incorporate further revisions based on Council’s feedback. The revised Employee Code of Conduct is included as Attachment 1 and an accompanying Complaint and Investigation Procedure as Attachment 2 within this report for Council's review and approval.

Additionally, Staff Report FAF.24.137, which pertains to the Draft Employee Whistleblower Policy, is included for Council's review and approval on the Committee of the Whole (COW) agenda for November 18, 2024.

D. Analysis

A code of conduct is important as it provides employees with clear guidelines for their behaviour and performance. Understanding these rules, policies, and expectations not only helps prospective employees gauge their fit within the organization, it also helps current employees excel in their roles.

Although the Town has a number of policies outlining the standards and behaviours expected from employees within the workplace, the Town has not instituted an Employee Code of Conduct. Following a comprehensive policy review conducted by the Human Resources Division, a recommendation was presented to the Senior Management Team proposing the development of a Code of Conduct for Employees. The draft Employee Code of Conduct consolidates existing expectations and procedures for Town employees.

Staff recommend the adoption of an Employee Code of Conduct which outlines the expected behaviour and standards for all Town employees. Adherence to these standards is critical for the reputation of the Town and its employees. While the Code cannot anticipate every ethical issue, it serves as a guide for resolving ethical dilemmas, avoiding conflicts of interest, and upholding public trust. Just because an unethical or questionable action is not specifically addressed in the Code of Conduct it does not mean that such conduct is permitted.

This policy aligns with the Town's core values: Excellence, Integrity, Accountability, Inclusivity, and Stewardship, promoting a positive, respectful, and inclusive culture.

The proposed Code of Conduct includes these key principles:

- Professionalism, ethics, and courtesy in all interactions
- Ensuring a safe and healthy workplace
- Compliance with relevant laws, regulations, and policies
- Responsible use of municipal resources
- Conducting business with integrity
- Addressing conflicts of interest and reporting violations

The Code will work alongside collective agreements, contracts, laws, and professional standards relevant to the employee's role. Once Council approves the Employee Code of Conduct and accompanying Complaint and Investigation Procedure, the documents will be posted on the Town's website, and appropriate review and sign-off for all staff will commence. As outlined in the draft policy, compliance with the Code of Conduct is a condition of employment for all Town employees. At the time of hiring, new employees will sign an acknowledgment certifying that they have read, understood, and will comply with the Code.

To ensure all staff have a clear understanding of and adhere to the Code of Conduct, training sessions and resources (FAQ, Quick Reference Sheet) will be provided to help employees become familiar with the Employee Code of Conduct. Training on the Code of Conduct will also be included in new employee orientation.

Annually, employees will complete an online acknowledgment certifying that they have read, understood, and will continue to comply with the Code.

E. Strategic Priorities

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders.

2. Organizational Excellence

We will continually seek out ways to improve the internal organization of Town Staff and the management of Town assets.

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

Within the draft Employee Code of Conduct, the section on Managing Environmental Protection, Risks, and Long-Term Sustainability emphasizes the vital role employees play in meeting the Town's environmental health and safety obligations. Employees are urged to consider the environmental effects of their decisions, such as operational choices, purchasing, and planning, with an aim to reduce the Town's carbon footprint and improve community and employee well-being, aligning with Diversity, Equity, and Inclusion principles.

G. Financial Impacts

None. The Employee Code of Conduct roll-out and training will be undertaken internally by leaders and Human Resources staff.

H. In Consultation With

Senior Management Team

Human Resources Staff

External Legal Counsel

I. Public Engagement

The topic of this Staff Report has not been the subject of a Public Meeting and/or a Public Information Centre as neither a Public Meeting nor a Public Information Centre are required. However, any comments regarding this report should be submitted to Sarah Traynor, Manager of Human Resources hr@thebluemountains.ca.

J. Attached

1. Attachment 1- Draft Employee Code of Conduct
2. Attachment 2- Draft Employee Code of Conduct- Complaint and Investigation Procedure

Respectfully submitted,

Sarah Traynor
Manager of Human Resources

Shawn Everitt
Chief Administrative Officer

For more information, please contact:
Sarah Traynor, Manager of Human Resources
hr@thebluemountains.ca
519-599-3131 extension 244

Report Approval Details

Document Title:	FAF.24.136 Follow-up Report Draft Employee Code of Conduct.docx
Attachments:	- Attachment 1- Draft Employee Code of Conduct - Nov 2024.pdf - Attachment 2- Draft Employee Code of Conduct Complaint Investigation Procedure - Nov 2024.pdf
Final Approval Date:	Nov 7, 2024

This report and all of its attachments were approved and signed as outlined below:

Sarah Traynor - Nov 7, 2024 - 3:44 PM

Shawn Everitt - Nov 7, 2024 - 4:03 PM



Employee Code of Conduct Policy

POL.COR.24.XX

Policy Type:	Corporate Policy (Approved by Council)
Date Approved:	Month, Day, 2024
Department:	Administration
Staff Report:	FAF.23.176; FAF.24.010; FAF.24.136
By-Law No.:	Not Applicable

1. Policy Statement

The Town of The Blue Mountains (the “Town”) is committed to fostering openness, ethical conduct, and accountability in all its endeavours to uphold public trust. To preserve this trust, employees must consistently uphold the highest standards of ethics, integrity, honesty, accountability, and professionalism as outlined in the Employee Code of Conduct Policy during the course of their duties.

2. Purpose

All Town employees are required to comply with the Employee Code of Conduct Policy (the “Code”) and be aware of the policies, procedures, laws, and regulations that affect their job. It is recognized that no set of guidelines can address every ethical situation. These guidelines are not intended to be exhaustive. They are intended to assist employees in matters of conduct, to avoid Conflicts of Interest, and to serve the public and colleagues in an acceptable and professional manner. Perceptions of others are critical to the reputation of the Town and individuals employed in public service. The best insurance against loss of public confidence is adherence to the highest standards of ethics and professional behaviour.

This Policy is consistent with the Town's values of **Excellence, Integrity, Accountability, Inclusivity, and Stewardship**. The Town of The Blue Mountain's Mission Statement is that “**Council and Employees together foster the trust of our community and support our region's diverse cultural and natural heritage through thoughtful consultation and organizational excellence**”. We all must work together to promote a positive culture of respect, acceptance, and inclusivity.

3. Application

This Code applies to all Town employees, including but not limited to regular full-time, part-time, casual, temporary/contract, students, and volunteers (collectively referred to as 'Employees' for the purposes of the Code). The Code shall be applied in conjunction with all collective agreements, contracts, legislative requirements, and/or standards identified by an Employee's professional affiliation.

Understanding and complying with the Code is a condition of employment. Employees shall abide by the Code for the well-being of the Town, its operations, and all Employees.

The Code applies to all facets of an Employees' duties and responsibilities, including but not limited to duties performed:

- in the workplace;
- at offsite Town meetings, including attendance at board and committee meetings;
- during work-related travel, conferences, seminars, and training;
- at restaurants, hotels, or meeting facilities being used for business purposes;
- in Town-owned or leased facilities;
- during telephone, email, or other communications, including social media;
- while wearing a Town uniform and/or apparel with the Town logo or Town sub-branding; and,
- at any Town-organized social event.

4. Definitions

Confidential Information: Includes information obtained through employment with the Town that is not available to the public. Confidential Information is secret or private information that is intended solely for carrying out an Employee's duties and responsibilities. Confidential Information includes, but is not limited to:

- documents, records or other information concerning the Town's operations, finances, plans, or strategies;
- documents, records or other information concerning taxpayers, employees, vendors and contractors of the Town including personal information, employment status, vendor/contractor status, personnel records, performance information, compensation information and job history;
- privileged information, including advice received from professional advisors such as legal counsel and financial advisors; and
- all work related information including letters, memoranda, presentations, email and all other documents, whether hard copy or electronic, even if such information has not been labeled or identified as confidential.

Confidential Information also includes but is not limited to information in the possession of the Town that the Town is either prohibited from disclosing, is required to refuse to disclose or

exercises its discretion to refuse under the *Municipal Freedom of Information and Protection of Privacy Act*, *Personal Health Information Protection Act* or other legislation, and information concerning matters that are considered in a “closed session” meeting under section 239 of the *Municipal Act, 2001*.

Conflict of Interest: Refers to situations in which an Employee has or is perceived to have personal or private interests, including pecuniary interests, that may affect an Employee’s judgement and compete with the public interests of the Town. Such competing interests may make it difficult for Employees to fulfill their duties impartially. A Conflict of Interest can create an appearance of impropriety or a perception of bias that can undermine confidence in the person and in the Town generally. A Conflict of Interest exists even if no unethical or improper act results from it. A Conflict of Interest can either be an apparent conflict or a real conflict.

Apparent Conflict

An apparent conflict exists where there is a reasonable perception, which a reasonably well-informed person reviewing the matter and having thought the matter through, could conclude that the Employee’s ability to exercise an official power or perform an official duty or function must have been affected by their personal or private interests.

Real Conflict

A real conflict exists where a personal or private interest exists and that interest:

- a. Is known to the Employee; and
- b. Has a connection to the Employee’s duties that is sufficient to influence or interfere with the performance of those duties.

Disrespectful Behaviour: Includes failing or refusing to treat others in a professional, courteous, dignified, fair, and/or equitable manner, whether through words or actions.

Employee: Refers to all unionized and non-unionized Town Employees, Managers, Senior Management, Supervisors, the Chief Administrative Officer (the “CAO”), Paid Per Call Firefighters, as well as contractors, students and volunteers.

Fraud or Fraudulent Activity: Includes any array of dishonest or illegal acts characterized by intentional deception or misrepresentation, including acts that are intended to result in personal or financial gain. Fraud or Fraudulent Activities include, but are not limited to:

- forgery or alteration of documents (cheques, time sheets, independent contractor agreements, purchase orders, etc.);
- misrepresentation of information by an Employee;
- misrepresentation of information on documents;
- misappropriation of funds, securities, supplies or any other asset;
- unauthorized use, disappearance, or destruction of Town property, equipment, materials or records

Gift: Any social invitation, or an object of value received from a third party.

Immediate Relative: A parent, spouse, child, sister, brother, sister-in-law, brother-in-law, father-in-law, mother-in-law as well as step-relationships and half-relationships; spouse shall mean the person to whom a person is married or with whom the person is living in a conjugal relationship outside of marriage. This definition shall also include any other person(s) that are living with the Employee on a full-time basis whom the Employee has demonstrated a settled intention to treat as an immediate relative.

Leader: Refers to Supervisors, Managers, Directors and any Employee with the authority to direct, supervise and discipline members of the Town's workforce.

Pecuniary Interest(s): Interests that have a direct or indirect financial impact including, any matter in which an Employee has a financial interest in, or in which an Employee is a shareholder, director, or senior officer or holds controlling interest in a corporation and that corporation has a financial interest in the matter being addressed by the Town. The pecuniary interests, direct or indirect, of a parent, spouse, child or other Immediate Relative of the Employee shall, if known to the Employee, be deemed to be also the pecuniary interests of the Employee.

Personal Interest(s): Involve forms of influence or advantage other than financial, such as seeking employment, an appointment, promotion, or transfer with the Town on behalf of an Immediate Relative.

Political Activity: Includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, and promoting a political party or cause.

Private Interests: Private (or personal) Interest means a relationship, obligation, duty, responsibility, or benefits unique to the Employee or a person related to the Employee.

Town Property: Refers to items used or created for official Town purposes. Town Property includes physical, intellectual, and technological material.

Workplace: Includes any land, premises, location, or thing at, upon, in, or near which an Employee works. For clarity, this includes all locations where Employees conduct Town business or social activities and where their behaviour may have a subsequent impact on work relationships, work environment, and/or performance. This includes when Employees are working remotely, including from home. Incidents that occur by way of electronic communication (e.g. unwelcome phone calls, voice mail, texting, group chat messages, on e-mail or other social media, and the display of offensive materials on computers, smartphones, or other computing devices) will be considered to have occurred in the Workplace if directed to or from Employees and where such conduct may reasonably be expected to have an impact on work relationships, the work environment and/or performance.

5. Procedures

Principles and Values

The Town employs a dedicated, highly skilled workforce that has a solid foundation built on mutual respect. The Code is about the values, principles, and standards of behaviour that govern the actions of Town Employees. The Code sets the standard for a safe and respectful workplace, protects the collective reputation of the Town, and strengthens our commitment to make The Blue Mountains a connected, inclusive, and innovative place to work and live.

The Town's Values are Excellence, Integrity, Accountability, Inclusivity, and Stewardship, which Employees commit to:

Excellence: Providing conscientious service to our community and to each other.

Integrity: Being honest, consistent, and fair in all we do.

Accountability: Ensuring responsible and transparent governance.

Inclusivity: Respecting and engaging every voice.

Stewardship: Honouring the past, caring for the present, leading toward a sustainable future.

Employees' respect for each other, customers, and the public is ingrained in the Town's Values. Employees demonstrate the Town's Values in the way they build relationships and make decisions. The Code incorporates the Town's Values and guides Employees to live them in their day-to-day work.

'Living the Town's Values' means that Employees act without malice, judgment, or seeking personal benefit. It means having the courage for difficult conversations, putting trust in laws, legislation, policies, and procedures, having integrity, and standing up for what one believes in. It also means showing compassion in times of need.

Living the Town's Values can be challenging at times. It requires strength, knowledge, resilience, and perseverance. It is more than just being aware of the Town's Values or following the Code—Employees need to integrate them into operations and behaviours to ensure respect, legality, and compliance.

Employees should refer to the Town's Employee Code of Conduct Complaint and Investigation Procedure for further details.

6. Expected Behaviours

a) Tell the Truth

Work and relationships require trust. The Town, the community and colleagues rely on Employees to be honest and responsible. Employees will honour commitments—do what they say they will do—to build trust and sustain it.

b) Make Well-Informed Decisions

Employees must conduct themselves with integrity and compassion. Employees will place careful thought into actions and decisions, applying critical thinking, knowledge, and skill. Employees will apply their best efforts to carry out civic responsibilities and preserve the Town's collective reputation.

c) Uphold the Law

The Town's operations are subject to laws and regulations. The Town's policies and procedures comply with legal and regulatory obligations, with the intent and in the spirit of the laws that apply. This helps the Town preserve its reputation for acting responsibly and with integrity.

Breaking the law could result in civil, criminal, and regulatory penalties, including fines for the Town and the individual involved.

d) Respect other Professional Codes of Conduct

Some Employees may be accountable for upholding the principles of other professional codes of conduct (e.g., accountants, lawyers, engineers, planners, and human resources professionals).

Anyone in such a position is encouraged and supported to do so. If a situation arises that may cause conflict or confusion, speak to a Leader or Human Resources.

e) Comply with Policies and Procedures

All Employees are responsible for knowing, understanding, and following the Town's policies, directives, standard operating procedures, and guidelines. Employees will comply with a Leader's directive unless it is contrary to the Town's Values and policies, is against the law or may result in health or safety risks. Employees must always be aware of the policies and procedures specific to their business and work within the boundaries of what they have the authority to do.

7. Responsibilities for Leaders (Supervisors, Managers, Directors)

While all Employees are required to act in accordance with the Town's Values, Leaders have additional responsibilities under the Code. The Town expects those who lead or supervise others to demonstrate ethical leadership and set the right tone by:

- Modelling appropriate behaviours that are consistent with the Code and Town Values;
- Fostering a positive work environment in which only legal, ethical, responsible, and appropriate behaviours are acceptable;
- Promoting team awareness and understanding of the Town's Code, Values, policies, and procedures to ensure ongoing compliance;
- Identifying and mitigating ethical and compliance risks;
- Responding appropriately and in a timely way to colleagues who seek advice, raise concerns, and/or report misconduct in a manner that offers security and ease to do so;
- Managing conflict of interest situations to achieve fair and appropriate outcomes;
- Promptly escalating concerns and reports of actual or potential misconduct and following up to ensure they are addressed.

8. Speak Up, Raise Concerns, and Report Misconduct

a) Speaking Up and Raising Concerns

The Code and Town policies explain the ethical behaviours that the Town expects of Employees; however, they cannot anticipate every situation that Employees may encounter. The Town takes violations of the Code very seriously. Employees are encouraged to speak up and raise concerns to ensure that all Employees, the community, and the Town's reputation are protected. The Town will address all questions and concerns.

b) If Feeling Unsure

Sometimes, individuals know when something is wrong. Other times, it is hard to tell if an action does or will, break the Code, a Town policy, procedure, or law. Employees should use the Town's Values and the Code to inform best judgment, and when in doubt, seek clarification from a trusted Leader or Human Resources in times of uncertainty.

If there are doubts, an Employee should ask these questions:

- Is it legal?
- Does it comply with Town policies and procedures?
- Is it in line with the Town's Values?
- Would I be comfortable if my actions were made public?
- Would it be okay if everyone did it?

If the answer is “No” to any of these questions, stop what is happening.

If the answer is “Yes” to all of these questions, carry on and move forward.

If the answer is “I don’t know” to any of these questions, ask a Leader or Human Resources for help.

c) Reporting Misconduct

Every Employee has a duty to report actual or suspected misconduct, even one's own.

Employees must immediately notify a Leader and/or Human Resources of misconduct that includes violations of the Code, policies, and the law. If the complaint is regarding the CAO, it should be submitted to the Mayor or designate. If the complaint is regarding the Manager of HR, it should be submitted to the CAO. In addition, Employees have the option of utilizing the Town’s Whistleblower Policy to report misconduct.

- If an Employee is asked to commit (or believe that they have been witness to) a potentially illegal or unethical act, they must report it immediately.
- If an Employee becomes aware of a breach of the Code or any other situation that could place the Town at risk of loss or harm, they must report it immediately.
- Leaders shall take all appropriate steps to prevent and stop breaches of the Code that come to their attention.

The Town will investigate reports promptly and keep the details confidential, including, where appropriate, the identity of the person making the report. The Town will only disclose information to the extent necessary to investigate and address the situation or as legally required.

d) Investigations

Reports of concerns, violations or misconduct may be investigated to determine if there was a breach of the Code, Town policy or law governing conduct. Investigations will be thorough, fair and in accordance with the Town’s legal obligations. All Employees have a duty to cooperate with internal or external investigations concerning alleged misconduct and provide honest, accurate, complete, and timely information. The Town will make every effort to protect the confidentiality of the investigation and take all appropriate corrective actions in response to any infraction or transgression.

e) Commitment to Non-Retaliation

In the event that an employee becomes aware of a breach of the Code, or any illegal activity in the workplace, they have a responsibility to report that misconduct to their Leader, Human Resources, or the CAO or to utilize the provisions of the Whistleblower Policy. There will be no discipline, dismissal, or retaliation for speaking up and making a truthful report of actual or potential misconduct, for participating in an investigation, or for exercising legal rights. Retaliation can include behaviour or actions that punish or deter someone from

speaking up, such as negative performance evaluations, creating a hostile work environment, harassment, demotion, dismissal, or assigning tasks with the intent to isolate or discourage someone.

If an Employee encounters any form of retaliation, report it to a Leader or Human Resources immediately. The Town commits to investigate every claim of retaliation and to take disciplinary action if necessary.

If a report of a breach of the Code is made in bad faith, with the intent to harm the individual or the Town, the Employee may be subject to discipline, up to and including termination.

9. Protect Information and Interests

a) Protecting Confidential Information

The Town's information assets are public property. The Town trusts Employees to protect the organization's information resources so they can be used effectively to deliver public services. The public trusts Employees to protect privacy, ensuring personal information is collected, used, and disclosed with caution and care. Employees may not disclose or use confidential, privileged or personal information. Such information is only to be exchanged as necessary to perform one's duties and in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, Town policies or other legislation. Employees must manage all information within their care ethically and responsibly.

- Confidential Information (which includes personal information) is information that is not public property, is not in the public domain, and/or would cause harm to individuals or to the Town if improperly disclosed. This includes information communicated in confidence.
- Personal information means any recorded information that would identify a specific individual (e.g., address, name, phone number, medical records, financial records, etc.). The Town uses the detailed definition of 'personal information' provided in section 2(1) of the [Municipal Freedom of Information and Protection of Privacy Act](#).
- The inappropriate disclosure of Confidential Information may result in financial and/or reputational harm and may constitute a privacy breach.
- Confidential Information, including personal information, should only be accessed and used by Employees when required for legitimate business purposes and only for the period required to achieve those business purposes.
- Every Employee has a responsibility to secure Confidential Information from the risk of theft, loss, misuse, or inappropriate disclosure.
- In the event of a privacy breach or improper disclosure, Employees must comply with the Town's privacy policies and directives.

- Employees must report a potential or actual breach to the Chief Administrative Officer or Human Resources or through the Whistleblower Policy and refrain from sharing details of the breach with anyone who does not have a business-related need to know.

b) Protecting Customer Information

The Town's customers are residents, business partners, and anyone who interacts with the Town. Customers share personal information with the Town and expect the Town to protect their privacy. Employees will only share information about customers with their consent, and even then, only for a legitimate business purpose.

Every privacy breach results in a loss of public trust. Employees will always take the proper precautions when collecting, using, and sharing information about the Town's customers.

Employees must always be mindful and take care not to be overheard, leave information visible, behind, or unsecured when working in public spaces.

c) Protecting the Town's Information

The Town's business information is a critical asset, and every Employee has an obligation to safeguard it. Employees must always use proper records management processes when creating, using, maintaining, and disposing of records.

d) Responding to the Media

The media is an effective way to enhance communication with the community; however, Employees must also manage media inquiries to ensure consistency and protect the Town's reputation. The Town's Communications & Economic Development division is responsible for the coordination of all communications with the media on behalf of the Town. Only those with the proper authority may communicate with the media on the Town's behalf. Refer all media inquiries to the Communications & Economic Development division.

e) Using Social Media Responsibly

Social media facilitates collaboration, sharing of information, and dynamic discussions. It provides opportunities to enhance outreach and inclusion to engage people. Employees should be mindful that comments made on social media are permanent and for public consumption.

- The Town expects Employees to realize that social media is not an appropriate avenue to express personal concerns about the Town, colleagues, or Town business.
- Refrain from sharing information on social media platforms that is not already available to the public or content that reflects poorly on colleagues or the Town.

- Consult with a Leader or Human Resources if you have concerns or need to report an issue. Refer to the Town's Social Media Policy for further guidance.

f) Official Use

To ensure that the Town's corporate social media use is appropriate and consistent with the Town's communication strategy, only media spokespeople have the authority to manage or participate in the Town's social media outreach activities.

g) Personal Use

Employees must share, comment, and repost Town news in ways that honour the Code and reflect the Town's Values and always consider the potential impact of personal posts on the Town, colleagues, and the community.

h) Acting Responsibly

The Town's reputation and business depends largely upon the behaviour of its Employees. Whether an Employee is "on or off the clock," their behaviour and actions may reflect on the Town. If Employees fail to exercise sound judgment and engage in unethical or dishonest conduct, it may reflect negatively on the Town. Employees must be mindful and responsible and act in a way that reflects positively on the Town and fosters public confidence.

10. Foster a Safe and Healthy Workplace

a) Valuing Everyone's Health and Safety at Work

The Town is committed to providing a physically and psychologically safe work environment through a culture of responsibility and accountability at all levels—Employees, Leaders, and Senior Leadership. All Employees share the responsibility to make health and safety a daily priority.

Each Employee must adhere to health and safety rules and practices that apply to their jobs, and for taking the necessary precautions to protect colleagues, the public, and themselves.

Employees foster an active health and safety culture by:

- Making responsible choices—not accepting or directing unnecessary or unsafe acts.
- Knowing and complying with applicable occupational health and safety laws and Town policies.
- Watching out for each other and helping others avoid unsafe conditions.
- Promptly reporting any unhealthy or unsafe conditions or behaviours.

b) Be Fit for Work

To ensure a safe workplace and prevent potentially dangerous situations, Employees perform work safely and at an acceptable standard, without limitations due to injury, illness, fatigue, or the use of (or aftereffects of) a substance or other condition (physically or mentally) that may impair performance. Employees must report to their jobs fit to work (and remain as such) while conducting Town business.

Employees will attend to job responsibilities free of any influence from alcohol, cannabis, or illegal drugs. Employees taking prescription or over-the-counter drugs with strong side effects should inform their Leaders that a medical accommodation may be necessary.

Illegal drugs or other controlled substances are not permitted and cannot be brought onto Town property or work sites.

Immediately report any abuse (or suspicion of abuse) of alcohol, cannabis, drugs, or an illegal substance to a Leader, Human Resources or by utilizing the provisions of the Whistleblower Policy. Employees should refer to the Town's Fit for Duty Policy for additional guidance.

c) Preventing Workplace Violence

The Town has a proactive approach to violence prevention in the workplace that clearly outlines the expectations of Employees (at all levels) when reporting and responding to violent incidents.

Employees are all responsible for maintaining a workplace free from violence and commit to supporting Employees who are victims of violence.

The Town has zero tolerance for violence in the workplace and expects everyone to act appropriately in all dealings with others.

Immediately report instances of violence or attempted violence to a Leader, Human Resources or by utilizing the provisions of the Whistleblower Policy. Employees should refer to the Town's Workplace Violence Policy for additional guidance and reporting procedures.

11. Treat People with Care

a) Maintaining a Respectful Workplace

All Employees have the right to work in an environment that is respectful and professional, and everyone is responsible for behaving in a way that contributes to a healthy and productive workplace.

- Employees will foster an atmosphere of congeniality and support. Employees will be honest, polite, and courteous when dealing with people, including the public, Elected Officials, and colleagues.

- The Town expects everyone to treat each other with mutual respect and dignity and to be conscientious of how others may perceive or misunderstand actions and comments.
- The Town has zero tolerance for harassment, sexual harassment, bullying, discrimination, disrespect, and inappropriate behaviour under any circumstance.
- Employees must immediately report any instances of harassment, bullying, disrespect, discrimination, or inappropriate behaviour to a Leader, Human Resources or by utilizing the provisions of the Whistleblower Policy.
- Employees should refer to the Town's Respectful Public Interactions and/or Frivolous, Vexatious, or Unreasonable Complaints policies for additional guidance on identifying situations that meet the criteria of inappropriate behaviour when interacting with the public and the associated actions that may be taken in such circumstances.

b) Strengthening Diversity, Equity, and Inclusion

Employees will conduct themselves at work with fairness and equity while fostering an inclusive culture that provides an accessible, safe, and respectful work environment that is free from harassment, discrimination, violence, or any unacceptable behaviour.

- Employees will accept, respect and value individual differences within the workplace and commit to equitable opportunities for advancement and growth.
- Employees will combat unconscious biases to increase innovation, productivity, and creativity. By recognizing and mitigating biases, Employees will enhance relationships, build community, and garner a greater appreciation for equity, diversity, and inclusion.

12. Conduct Business with Integrity

a) Preventing Fraud

The Town takes fraud—and the threat of fraud—very seriously and commits to deter, detect, report, and correct fraud. The Town expects everyone to act honestly, without bias, without favour, and without outside/Personal Interests conflicting with work decisions. Employees must recognize the signs and immediately report any unusual activity to a Leader, Human Resources, CAO or by utilizing the provisions of the Whistleblower Policy. There is no risk of reprimand, penalty, or discipline for reporting suspicious behaviour or fraud in good faith or participating in a fraud investigation.

b) Avoiding Conflicts of Interest

A "Conflict" or "Conflict of Interest" is anything that interferes (or might be perceived to interfere) with an Employee's or the Town's ability to act impartially or in the best interests of the public.

Employees have a duty to set aside Personal Interests and views to focus on what is best for the Town and the public. For that reason, Employees are obligated to disclose any Real or Apparent Conflicts of Interest as defined in the Code. A Conflict of Interest occurs when Employee conduct involves or appears to involve, a conflict between public duties and Personal Interests. The Town expects Employees to immediately disclose Conflicts and manage them appropriately.

- The Town expects that Employees act objectively and discern obligations for their personal business, family, and social relationships, from their roles at work for the Town.
- Employees will declare a Conflict of Interest to their Leader when it exists and appropriately remove themselves from those situations.

Private Interests

Employees have interests outside of the Town (e.g. additional work, volunteer activities, etc.). An Employee's Private Interests must remain separate and distinct from job obligations. Employees must never use their positions with the Town to influence or further their Private Interests or those of friends, family, or anyone with whom they have a close personal relationship or business association. Employees will disclose any outside activities that present a Conflict or potential Conflict of Interest to their Leader.

Personal Relationships

Employees must excuse themselves from work situations and decision-making that may involve friends, Immediate Relatives, or anyone with whom they have a close personal relationship or business association. Employees will never use their positions with the Town to seek personal benefit or further the interests of those with whom they have personal relationships or business associations. Employees will disclose any relationships that present a conflict or potential Conflict of Interest to their Leader.

Political Activity and Support

If someone chooses to participate in political activity, it is a personal choice and it is not as a representative or on behalf of the Town.

- Employees must never use their affiliation with the Town to market or advance their personal political activities and must ensure that personal activities and political associations will not influence, affect, or compromise the obligations of their job with the Town.
- Employees will be politically neutral in their work for the Town and be sensitive to maintaining a civic service that is non-partisan.

- The promotion of other causes and issues—including charitable initiatives—requires approval by the proper authority.
- Employees will disclose any political activity or affiliations that present a Conflict of Interest.

c) Professionalism

Employees are ambassadors of the Town and are expected to reflect a professional image at all times. Depending on the nature of an Employee's work, certain attire may not be appropriate. Employees are required to be mindful of their attire and dress professionally for their job. Employees should refer to the Town's Dress Code Guideline for additional information.

Employees must be professional, courteous, and objective in all interactions with the public, clients, contractors, suppliers, co-workers, colleagues, etc. Every Employee should be aware of the Town's public responsibilities and their role in fulfilling them, requiring them to maintain the utmost ethical conduct and integrity.

d) Managing Gifts and Entertainment

In business, it is common to foster relationships through the exchange of courtesies such as meals, gifts, and entertainment. Gifting may also relate to customary protocol, social obligation, and etiquette. Regardless of the circumstance, the gifts and entertainment Employees accept must not have the intent or design to influence their business decisions or judgement on behalf of the Town. Similarly, Employees must never give gifts with the intent of influencing a business decision or outcome.

Gifts, Benefits and Solicitation

The public's perception of the integrity of the Town and its Employees is of great importance. Employees are expected to make decisions on behalf of the Town based on the impartial and objective assessment of information, free from any influence of gifts. For the purposes of this provision, any gift provided to an Employee, an Employee's child, or spouse/partner, with the Employee's knowledge, shall be deemed to be a gift accepted by that Employee.

Employees may only accept gifts as provided below:

- a) Gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibilities of employment (value can be no greater than \$50.00, including tax).
- b) Token gifts such as souvenirs, mementoes, and commemorative gifts that are given in recognition of service on a committee, for speaking at an event, or for representing the Town at an event (value can be no greater than \$50.00, including tax).

- c) Gifts of admission to charity fundraisers, banquets, receptions, ceremonies, cultural events, sporting events, galas, political events, and similar events, if the Employee's attendance serves a legitimate municipal purpose and if attendance at such events is approved in advance by the Employee's Leader (value can be no greater than \$50.00, including tax).
- d) Exception: there is no limit or approval required for gifts that are offered to Employees as part of admission to a conference that is offered to all attendees.

Employees may not accept reoccurring gifts from the same source over a total annual value of \$100.00 (based on a calendar year). For clarity, Employees cannot accept more than two (2) gifts per calendar year from one source if said gifts are valued at \$50.00 each.

In the event an employee is offered a gift that has a legitimate business purpose, valued greater than \$50.00 (or the calendar year total of \$100.00 for reoccurrence), the Employee may request approval from their Director or the CAO to accept said gift(s). The request for approval must be provided in writing (with a copy to the Manager and/or Director) and will be considered on a case-by-case manner by the Director / CAO.

Managers / Directors may request a division/department or individual Employee blanket approval, in writing and in place for a set period of time, for divisions/departments or Employees who are involved in legitimate business activities that require heightened business activities that could result in an increase in gifts as defined in a) – c) above.

Consideration of approval will be based on the overall value of the gift(s), or projected value, and the best interests of the Town and the community served. Employees cannot accept said gift(s) until written approval from the CAO is received.

In the event the CAO is offered a gift that has a legitimate municipal and/or business purpose valued greater than \$50.00 (or the calendar year total of \$100.00 for reoccurrence), the CAO may request approval from the Mayor or Designate to accept said gift(s).

The CAO may also request blanket approval, in writing and in place, for a set period of time when involved in legitimate municipal and/or business activities that require heightened business activities that could result in an increase in gifts as defined in a) – c) above.

The CAO may sanction an event (ex. Warden's Gala, where the Town sponsored the event) for multiple Employees' attendance if the event serves a legitimate municipal and/or business purpose. This sanction must be provided in writing.

No Employee may accept a gift from any person or organization engaged in a tendering process. Employees must also consider the activities that are taking place prior to accepting a gift. This includes but is not limited to, considering if the provision of a gift is part of an organized effort to influence, manipulate, persuade, induce, sway or affect an Employee in

their ability to recommend the passing of a by-law, develop a policy or procedure, determine expenditures or appropriates or award contracts. In the event that an Employee is offered a gift and feels it may fall into said category, the Employee must report the matter to their Leader immediately.

In all circumstances, Employees shall complete a "*Disclosure of Gift or Benefit*" form when a gift valued greater than \$50 including tax is received. The Employee's Leader will review the form and discuss it with the Employee if necessary. Employees should be aware that they may be required to return gifts or benefits. Therefore, until they receive approval from their Leader, they should avoid spending or otherwise using the gift in any manner that would affect their ability to return it.

Human Resources is responsible for tracking and monitoring gifts received corporately.

13. Safeguard Town Assets

a) Using Town Property Responsibly

The items used at the Town, or created for the Town, belong to the Town. Employees must ensure that the Town's Property—physical, intellectual, and technological—is used properly and reflects a balance between the obligations to the Town and Employees.

- Employees are responsible for protecting and securing any Town Property from theft, fraud, harm, loss, and misuse, especially those in an Employee's custody or control and are their responsibility.
- In general, Employees should not use Town Property, technology, or other resources for activities other than the business of the Town.
- Where personal use of Town Property occurs, it must never result in direct expenses being paid for by the Town or impede conducting business on behalf of the Town.
- Employees must never use Town Property for illegal activity or for any purpose that might be considered offensive.

b) Managing Expenses Responsibly

As stewards of Town resources, Employees must manage the assets in their care responsibly and ethically to earn and maintain the public's trust. Employees are accountable to the public to ensure that public money, property and resources are used with high regard for efficiency and effectiveness.

- Employees are required to comply with the requirements set out in the Town's expense policies, including claiming only reasonable expenses incurred for Town business.

- Employees are accountable for following authorization limits when authorizing expense commitments, transactions, or Employee claims for reimbursement.
- Employees must not use a corporate purchasing card for any purpose other than for proper Town business expenses and must manage the card in accordance with applicable policies and procedures.

c) Managing Risk

Employees may encounter situations where they are expected to act or make difficult decisions under uncertain circumstances. To challenge this, Employees will continuously strive to innovate and develop solutions to identify and mitigate risk more effectively—that is, limiting the impact of risk so that if it does occur, the problem it creates is smaller and easier to fix.

- To help minimize actual risks—Employees are responsible for identifying, assessing, and presenting potential risks to Leaders for recommended actions.
- Employees will endeavour to make risk management part of the day-to-day management of their Town duties.

d) Managing Environmental Protection, Risks, and Long-Term Sustainability

Employees are responsible for a wide variety of Town operations and assets, all of which have roles to play in the Town's environmental health and safety regulatory obligations and long-term sustainability goals. Climate change and environmental degradation may pose risks to service continuity, Employee well-being, and/or the integrity of facilities and assets, including buildings, parks, and trails. The Town also has an ethical responsibility to minimize negative impacts and find opportunities within the scope of the Town's operations to improve the natural environment and social well-being of Employees and community members.

- Employees are encouraged to make operational, purchasing, and long-term planning decisions that result in improvements to the Town's environmental impacts or carbon footprint and/or enhance community or Employee well-being (such as by aligning with the Diversity, Equity, and Inclusion principles outlined in Section 6 b) of the Code).
- Employees are encouraged to proactively identify potential environmental or social impacts caused by or affecting Town operations, to innovate and find solutions to these impacts, and to request additional support to mitigate these impacts from senior management if necessary tools, plans, or policies are not already available.

14. Administration of the Code

a) Acknowledgments and Renewals

Compliance with the Code is a condition of employment. It is each Employee's responsibility to act in a manner that promotes teamwork, positive working relationships, and courteous, professional service and to adhere to the ethical standards in the performance of their duties to foster an environment of integrity and trust and to preserve and enhance the Town's reputation.

As a condition of employment, and at the time of hiring, Employees will sign an Acknowledgment certifying that they have read, understood, and will comply with the Code.

Annually, Employees will complete an online Acknowledgment certifying that they have read, understood, and will continue to comply with the Code.

b) Code Interpretation

If there is any need for interpretation under the Code, the Manager of Human Resources and CAO are responsible for rendering a decision.

15. Exclusions

This Policy excludes Members of Council, Local Boards and Advisory Committee members of the Town of The Blue Mountains. POL.COR.21.06 Code of Conduct for Members of Council, Local Boards and Advisory Committees applies to Members of Council, Local Boards and Advisory Committee members.

16. Consequences of Non-Compliance

Employees who breach the Code or fail to report an actual or potential breach of the Code of Conduct are subject to corrective action through the Town's Progressive Discipline Policy. Corrective action is the Town's response to unacceptable behaviour and can range from the use of disciplinary or non-disciplinary methods. Discipline can result in action up to and including termination of employment. Some violations or behaviours may also result in a legal response, including civil litigation or the involvement of the police. Examples include but are not limited to, theft, fraud, and violence.

17. Review Cycle

This Policy will be reviewed once per term of Council or as required based on revisions to corporate practices or governing legislation.

18. References and Related Policies

- POL.COR.07.05 Purchasing of Goods and Services
- POL.COR.12.11 Corporate Media Relations
- POL.COR.12.13 Information Technology Acceptable Use
- POL.COR.13.23 Corporate Vehicle
- POL.COR.13.24 Progressive Discipline
- POL.COR.18.05 Travel, Business, Mileage Expense
- POL.COR.18.10 Social Media
- POL.COR.22.01 Records and Information Management
- POL.COR.22.02 Hiring of Employees
- POL.HS.06.01 Individual Responsibilities
- POL.HS.19.03 Fit for Duty
- POL.HS.22.07 Respectful Public Interactions
- POL.COR.22.08 Frivolous, Vexatious or Unreasonable Complaints
- POL.COR.24.02 Respectful Workplace
- POL.COR.24.03 Workplace Violence
- POL.COR.24.05 Accountability and Transparency of Town Actions to the Public
- POL.COR.24.XX Whistleblower Policy
- POL.COR.24.XX Employee Code of Conduct Complaint and Investigation Procedure
- Town Dress Code Guideline
- Municipal Act, 2001
- Municipal Conflict of Interest Act
- Municipal Elections Act
- Municipal Freedom of Information and Protection of Privacy Act
- Occupational Health & Safety Act
- Ontario Employment Standards Act
- Ontario Human Rights Code



Procedure

POL.COR.24.XX Employee Code of Conduct Complaint and Investigation Procedure

Policy Type:	Corporate Procedure (Approved by Council)
Date Approved:	Month 00, 20XX
Department:	Administration
Staff Report:	FAF.24.136
By-Law No.:	N/A

Purpose

The Town of The Blue Mountains (the “Town”) is committed to providing a work environment that promotes and protects values and behaviours exemplifying fairness and respect for everyone.

All complaints of a breach of the Town’s Employee Code of Conduct Policy (the “Code”) are taken seriously and will be appropriately investigated and resolved according to this Employee Code of Conduct Complaint and Investigation Procedure (the “Procedure”).

Application

The Code and this accompanying Procedure applies to all Town Employees, including but not limited to regular full-time, part-time, casual, temporary/contract, students, and volunteers (collectively referred to as 'Employees' for the purposes of this Procedure). This Procedure shall be applied in conjunction with all collective agreements, contracts, legislative requirements, and/or standards identified by an employee's professional affiliation.

Definitions

Allegations in Bad Faith: Refers to purposely making a false allegation.

Complainant: Refers to an Employee who is filing the formal complaint.

Employee: Refers to all unionized and non-unionized Employees, Managers, Senior Management, Supervisors, the Chief Administrative Officer (the “CAO”), Paid Per Call Firefighters, as well as students and volunteers.

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Formal Complaint: Refers to when an Employee files a complaint regarding a breach of the Code by completing a complaint form.

Formal Investigation: Refers to when Human Resources or a third-party Investigator commences an investigation under this Procedure.

Interviewee: Refers to a person who is questioned as a potential witness in a formal investigation under this Procedure.

Investigation Report: Refers to the compilation of all evidence from the Formal Investigation and the determination of whether or not a breach of the Code occurred.

Investigator: Refers to a person conducting a Formal Investigation in accordance with this Procedure.

Leader: Refers to Supervisors, Managers, Directors and any Employee with the authority to direct, supervise and discipline members of the Town's workforce.

Respondent: Refers to the Employee against whom the complaint is being filed.

Procedures

Filing a Complaint / Reporting Misconduct

Every Employee has a duty to report actual or suspected misconduct, even one's own.

Employees must immediately notify a Leader, Human Resources or utilize the procedures set out in the Whistleblower Policy to report misconduct that includes violations of the Code, policies, and the law. If the complaint is regarding the CAO, it should be submitted to the Mayor or Designate. If the complaint is regarding the Manager of HR, it should be submitted to the CAO.

Any Employee who would like to file a complaint regarding a breach of the Code must complete a complaint form. The key components of the complaint form that must be completed when making a Formal Complaint include:

- The Complainant's information.
- The name(s) of the alleged individual(s) to have committed the Code breach.
- The name(s) of any other individual(s) who may have additional information or who have witnessed the Code breach.
- A description of the complaint:
 - Dates and times of the incidents.
 - What happened and where?
 - What specific aspect(s) of the policy was breached?
- Additional evidence or documentation to assist in reviewing the allegation, such as:
 - Emails, letters or documents.
- Whether you have brought forward the issue(s) before.

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- If so, when and to whom?
- Your preferred resolution to the investigation.

Human Resources will review the Formal Complaint, in consultation with the Director and/or CAO and complete an initial assessment to determine if a Formal Investigation is warranted. If the matter involves a complaint against the CAO, Human Resources will consult with legal counsel and engage with the Mayor/Council. If the matter involves Human Resources, the CAO will assess the complaint.

Where warranted, a Formal Investigation will be initiated.

If the evidence does not substantiate a potential breach of the Code, then Human Resources will support the affected Employees through an informal resolution path. Informal resolutions can include mediation, counselling, coaching, facilitation, training, or referrals.

Examples of what would not be a breach of the Code include:

- Enforcing the rules of business.
- Disciplinary actions.
- Performance management.
- Interpersonal conflict between people.

The Formal Investigation

The Town will endeavour to commence an investigation process within three (3) business days of receiving a Formal Complaint. The investigation will be conducted by a member of Human Resources, or, at the Town's discretion, an external investigator.

Depending on the nature of the incident, the Town may elect to appoint a qualified third-party investigator to conduct the Formal Investigation. This will typically occur when:

- the allegation(s) are of a highly serious nature;
- when the Complainant or Respondent is a member of senior-level management (CAO, Senior Management Team member);
- if there is a potential or actual conflict of interest should Human Resources conduct the investigation; or
- when the police are involved.

The Formal Investigation may include, but is not limited to:

- Interviewing the Complainant and Respondent to ascertain all of the facts and circumstances relevant to the Formal Complaint, including dates and locations.
- Interviewing witnesses identified by the Complainant and Respondent, if any, or as necessary to conduct a thorough investigation.

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- Reminding the Complainant, Respondent, and any witnesses of the confidentiality requirements under this Procedure.
- Collecting and reviewing any related documentation from the Complainant, Respondent, or a witness.
- Taking statements during interviews and making detailed notes of the investigation and maintaining them in a confidential file.

All Employees have a duty to cooperate with internal or external investigations concerning alleged misconduct and provide honest, accurate, complete, and timely information. Participants in the investigation are required to cooperate, including providing the Investigator with any relevant documents requested during the course of the investigation.

Roles and Responsibilities of the Investigator

The Investigator is responsible for engaging in the following steps:

- 1) Plan and implement the investigation, including gathering and recording all relevant evidence.
- 2) Identify information gaps, potential sources of further information, and who may be able to corroborate information.
- 3) Plan and prepare interview questions to obtain the necessary evidence about the alleged incidents.
- 4) Conduct interviews with the parties and relevant witnesses.
- 5) Analyze evidence and determine the substance of each allegation.
- 6) Prepare the investigation report and summary.

Once all interviews are complete, the Investigator will compile all evidence into an Investigation Report. The Investigator then must determine, based on a balance of probabilities, whether or not a breach of the Code occurred.

In cases where harassment has been alleged, the Investigator must establish whether the conduct meets the definition of harassment, in accordance with the Town's Respectful Workplace Policy.

From this Investigation Report, the conclusions of the Formal Investigation will be outlined. Possible conclusions include:

- A breach of policy occurred.
- A breach of policy did not occur.
- No findings, based on lack of evidence.
- Not a breach of policy, but inappropriate behaviour.

The Investigation Report must be submitted to the Manager of Human Resources and/or the CAO or the Mayor/Deputy Mayor, as applicable.

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The Town will endeavour to complete any investigation and communicate the results to the Complainant and Respondent within 90 days after the receipt of a Formal Complaint, where possible. In some cases, a Formal Investigation may take longer. For example, if there are more than five witnesses or one of the parties or a key witness is unavailable (such as on a leave of absence).

Corrective Action

The Manager of Human Resources, the Director, the CAO and Council as applicable, will determine what corrective action (if any) will be taken based on the Investigation Report. However, if the Formal Complaint involves the CAO as a Respondent, Council as a whole will determine the appropriate corrective action, if any.

The Town will provide the Complainant and Respondent with a written summary of the Formal Investigation findings, including any corrective action that has been or will be taken.

If an allegation is substantiated, the Town will take appropriate corrective action, regardless of the Respondent's seniority or position in the Town. The Complainant and Respondent will be advised as to what corrective action, if any, will be taken to prevent further incidents or breaches of the Code, but may not be provided specific details of any particular discipline that has been imposed.

Corrective action may include one or more of the following:

- discipline, such as a verbal warning, written warning or suspension without pay;
- termination with or without cause;
- referral for counselling, diversity and inclusion training, anger management training, Supervisory skills training, or attendance at educational programs on Respectful Workplaces;
- a demotion or denial of a promotion;
- reassignment or transfer;
- financial penalties, such as the denial of a bonus or performance-related salary increase;
- any other disciplinary action deemed appropriate under the circumstances; or
- referral of the Respondent and Complainant to mediation if both parties agree to the process.

If there is not enough evidence to substantiate the Formal Complaint, corrective action will not be taken. However, in circumstances where the Investigation determines that there has not been a breach of the Code but inappropriate behaviour has occurred, the Town reserves the right to take corrective approach, as appropriate in the circumstances.

Allegations in Bad Faith

If an Employee makes a Formal Complaint in good faith and without malice, the Employee will not be subject to any form of discipline, regardless of the Investigation Report's findings.

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The Town will, however, discipline up to and including termination of employment, any Employee found to have filed a deliberately false or malicious complaint. If a report of a breach of the Code is made in bad faith, with the intent to harm the individual or the Town, the Employee may be subject to discipline, up to and including termination.

Commitment to Non-Retaliation

In the event that an Employee becomes aware of a breach of the Code or any illegal activity in the workplace, they have a responsibility to report that misconduct to their Leader, Human Resources, or the CAO. There will be no discipline, dismissal, or retaliation for speaking up and making a truthful report of actual or potential misconduct, for participating in a Formal Investigation, or for exercising legal rights. Retaliation can include behaviour or actions that punish or deter someone from speaking up, such as unsubstantiated negative performance evaluations, creating a hostile work environment, harassment, demotion, dismissal, or assigning tasks with the intent to isolate or discourage someone.

If an Employee encounters any form of retaliation, they must report it to a Leader or Human Resources or by utilizing the procedures in the Whistleblower Policy immediately. The Town is committed to investigating every claim of retaliation and to take disciplinary action if necessary.