

**BY-LAW NUMBER 385-2022
ESTABLISHING THE CODE OF ETHICS AND PROFESSIONAL CONDUCT
FOR EMPLOYEES OF THE MUNICIPALITY OF WEST BOLTON**

THE MUNICIPAL COUNCIL DECREES AS FOLLOWS:

ARTICLE 1: TITLE

The title of this Code is: Code of Ethics and Professional Conduct for Employees of the Municipality of West Bolton.

ARTICLE 2: APPLICATION OF THE CODE

This Code applies to all employees of the Municipality of West Bolton.

ARTICLE 3: PURPOSE OF THE CODE

The purpose of this Code is to:

- 1) Prioritize the values of the Municipality;
- 2) Establish standards of behaviour that promote the integration of these values;
- 3) Prevent ethical conflicts and, should they arise, help resolve them effectively and thoughtfully;
- 4) Ensure the application of control measures to breaches of the code of professional conduct.

ARTICLE 4: VALUES OF THE MUNICIPALITY

The following values shall guide the conduct of municipal employees, particularly when the situations encountered are not explicitly provided for in this Code or in the various policies of the Municipality.

1) Integrity

Every employee values honesty, rigour and justice.

2) Prudence in pursuing the public interest

Every employee assumes his or her responsibilities with the relevant public interest mission in mind. In the accomplishment of this mission, he or she acts with professionalism, as well as with vigilance and discernment.

3) Respect and civility for other employees, elected officials and citizens

Every employee promotes respect and civility in his or her interpersonal relations. He or she is entitled to them and acts with respect and civility towards all the persons with whom he or she deals in the course of his or her duties.

4) Loyalty to the Municipality

All employees must seek the interest of the Municipality, in accordance with laws and by-laws.

5) The search for equity

Every employee shall treat each person fairly, in accordance with the law and with by-laws.

6) The honour attached to the duties of employees of the Municipality

Every employee shall safeguard the honour that comes with his or her function, which presupposes the consistent practice of the five preceding values: integrity, prudence, respect, loyalty and fairness.

ARTICLE 5: RULES OF CONDUCT

5.1 Application

The rules set out in this section must guide the conduct of employees of the Municipality.

5.2 Objectives

The objectives of these rules are, in particular, to prevent:

1. any situation where the employee's personal interest may influence his or her independence of judgment in the performance of his or her duties;
2. any situation that would violate any provision of the laws or regulations of the Government, a Municipal Council by-law or a directive that applies to an employee;
3. favouritism, embezzlement, breach of trust or other misconduct.

5.3 Conflicts of interest

5.3.1 No employee shall act, attempt to act or omit to act, in the performance of his or her duties, in such a way as to further his or her personal interests or in an abusive manner, those of any other person.

5.3.2 No employee shall use his or her position to influence or attempt to influence the decision of another person in a manner that furthers his or her personal interests or, in an abusive manner, those of any other person.

5.3.3 It is forbidden for any employee to solicit, request, accept or receive, for himself or for another person, any advantage whatsoever in exchange for a position.

5.3.4 No employee shall accept any gift, hospitality or other benefit, regardless of its value, that is offered by a supplier of goods or services or that may influence his or her independence of judgment in the performance of his or her duties or that may compromise his or her integrity.

5.4 Use of municipal resources

No employee shall use the resources of the Municipality for personal purposes or for purposes other than activities related to the performance of his or her duties, subject to a specific policy governing such use.

This prohibition does not apply to:

1. The fact that an employee uses, on non-preferential terms, a resource made available to citizens;
2. The occasional use, for personal purposes, of software, computer, electronics tablet or a telecommunications device that the employee must use in activities related to the performance of his or her duties. However, the latter must reimburse the Municipality, if applicable, for the additional costs related to such use.

5.5 Use or Disclosure of Confidential Information

The employee must not make use of the confidential information he obtains in the performance or in the course of his work. These obligations survive for a reasonable period of time after termination of employment and survive at all times when the information relates to the reputation and privacy of others.

5.6 Breach of trust and embezzlement

It is prohibited for an employee to misappropriate, for his own use or for the use of a third-party, property belonging to the Municipality.

5.7 Announcement at a political fundraiser

No employee of the Municipality shall make an announcement, during a political fundraising event, of the carrying out of a project, the conclusion of a contract or the awarding of a subsidy by the Municipality, unless a final decision on the project, contract or subsidy has already been made by the competent authority of the Municipality.

5.8 Post-Employment Rule

Within twelve months of the end of his or her employment, the following persons:

- (a) the Director general and his/her deputy;
- (b) the Clerk-Treasurer and his/her deputy;
- (c) the Treasurer and his/her deputy;
- (d) the Registrar and his/her deputy;
- (e) any other employee designated by the Municipal Council;

are prohibited from holding a position as a director or officer of a legal person, a job or any other function, such that he or she or any other person derives an undue advantage from his or her previous duties as an employee of the Municipality.

ARTICLE 6: PREVENTIVE MECHANISM

An employee who believes that he or she, directly or indirectly, is in a situation of real, potential or apparent conflict of interest, or who is

likely to otherwise violate this Code of Ethics and Professional Conduct, must notify his or her immediate superior.

In the case of the director general, he must notify the mayor.

ARTICLE 7: FAILURE TO FULFIL OBLIGATIONS AND PENALTY

A breach of a rule provided for in this code of ethics and professional conduct by an employee may, by decision of the Municipality and in compliance with any employment contract, result in the application of any sanction appropriate to the nature and seriousness of the violation.

ARTICLE 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This Code shall not be construed as restricting the obligations imposed on a municipal employee by law, by-law, code of professional ethics, or an employment contract, including any collective agreement, municipal policy or directive or his or her right to negotiate his or her working conditions.

ARTICLE 9: REPLACEMENT

This by-law replaces By-law #333-2012 establishing a code of ethics and professional conduct for employees of the Municipality of West Bolton.

ARTICLE 10: ENTRY INTO FORCE

This By-law enters into force in accordance with the Act.

Adopted in West Bolton, April 11, 2022.

Denis Vaillancourt
Mayor

Me Jean-François Grandmont, OMA
Director general and Clerk-Treasurer