

Town of Lampman

Municipal Employee Code of Conduct and Safety First Disciplinary Policy

Policy No. 300-2

November 15, 2017

Subject:	Employee Code of Conduct & Safety First Disciplinary Policy
Type:	Employees
Authority:	Approved by Council: January 6, 2016; amended Nov. 15, 2017

Employee Code of Conduct and Safety First Disciplinary Policy

Introduction:

Employees of the Town of Lampman must observe the highest standards of conduct in the performance of their duties, regardless of personal consideration. Employees must avoid situations in which their personal interest conflicts, or appears to conflict, with the interests of the municipality in their dealings with persons doing or seeking to do business with the municipality. This policy is also intended to provide a guideline for administering disciplinary action. This policy will apply to all individuals who are employed by the Town of Lampman, regardless of their position.

Employees must not engage in any conduct or activity that contravenes the municipality's bylaws or any law in force in Saskatchewan which might:

- Detrimentially affect the municipality's reputation;
- Make the employee unable to properly perform his or her employment responsibilities;
- Cause other employees to refuse or be reluctant to work with the employee; or
- Otherwise inhibit the municipality's ability to efficiently manage and direct its operations.

Any employee who violates corporate rules, policies and procedures or by their record or actions has disregard for the Town, its rules, policies and procedures shall be subject to disciplinary action.

Purpose:

This Code of Conduct and Disciplinary Policy is intended to:

- Provide an understanding of the fundamental rights, privileges and obligations of municipal employees;
- Protect the public interest;
- Promote high ethical standards among municipal employees;
- Provide a means for municipal employees to obtain authorization for conduct in circumstances where they are uncertain as to the ethical appropriateness of that conduct;

- Set out the corrective measures for unethical conduct;
- Encourage compliance with corporate rules, policies and procedures and to clearly show employees, management's commitment to the application of the Loss Control Management program.

Responsibilities:**Employees of the municipality:**

- Must hold in strict confidence all information of a confidential nature acquired in the course of his or her employment with the municipality. Confidential information means information that is not part of the public domain and information designated by Council as confidential, such as personal information, internal policies, items under any legal proceedings, etc.
- Shall not use his or her position with the municipality to influence a decision of another person so as to further his or her private interests or those of his or her family.
- Perform all duties and obligations in line with municipal policies and procedures.
- Perform his or her duties in an impartial manner.
- Carry out all duties and obligations as instructed to do so by a member of Council or superior co-worker.
- Shall not accept gifts, favours or services:
 1. that are personal in nature and which he or she will take personal possession, unless these gifts, favours or services are authorized by a resolution of Council; or
 2. unless these gifts, favours or services are given over to the municipality for its control.
- Shall not use municipal owned equipment; including but not limited to tools, vehicles, implements, municipal office and/or shop space without the consent and knowledge of the municipal council.

Without restricting the scope of this principle, it is considered a breach of the Code of Conduct for an employee to use information that is obtained as a result of his or her employment and that is not available to the public to:

- Further, or seek to further, his or her private interests or those of his or her family; or
- Seek to improperly further another person's private interests.

Procedures:

Employees are expected to comply with the Code of Conduct and Disciplinary Policy. Employees have a responsibility to request an interpretation of the Code from the municipal council if they are unsure whether their behavior, circumstances, or interests contravene the Code.

Where an employee suspects that he or she is, or may potentially be, in conflict with any of the provisions of the Code, the employee must disclose the conflict or potential conflict in writing, to Council or the Employee Relations Committee.

The disclosure should include a detailed description of the conflict or potential conflict.

Where a disclosure is made, the matter will be treated seriously, and in confidence. The Council must review the disclosure within ten (10) business days from the date the disclosure is made and determine an appropriate course of action to address the actual or potential conflict.

Contraventions and Corrective Discipline

Council requires all employees to:

- Disclose a conflict or potential conflict; and
- Meet certain standards or work quality, safety and dependability at all times.

The following corrective discipline actions will be taken by the municipality if an employee fails to disclose a conflict or fails to meet standards of work quality, safety and dependability:

1. Verbal Warning and Disciplinary letter (copy to be placed in employee's file),
2. Disciplinary letter and Short-term Suspension,
3. Termination - after consultation with a solicitor.

Circumstances Leading to Disciplinary Action:

The following is a list of violations, which are examples of **minor, serious and extremely serious** infractions that may result in disciplinary actions being taken against offending employees. It is recognized that this list may not identify every potential situation that may require disciplinary action. In such cases the violation will be documented for review by Council who will determine the level of discipline. In the case of a conflict or potential conflict of interest, Council will determine the level of discipline.

Minor Violations

- Failure to wear proper safety equipment and safety boots while on the shop floor or working on equipment and performing other tasks in the yard.
- Failure of vehicle operator to maintain the vehicles and equipment in a clean condition inside and out.
- Failure to maintain personal protective equipment in good repair, and worn in appropriate manner.
- Failure to return tools and equipment to its original location after completion of the task.
- Unauthorized use of co-workers gear, ex. coveralls, boots.
- Unauthorized removal of tools or equipment from the shop, yard or vehicles.
- Uttering verbal abuses at and/or showing disrespect for co-workers.
- Failure of all employees, regardless of position, to participate in all work at the shop.
- Failure to submit an accident/incident report to supervisor and administration immediately and to the Employee Relations Committee within twenty-four (24) hours.
- Failure to ensure that all minor injuries are given prompt attention.
- The possession of, or use of Town property, tools or equipment for personal reasons, without permission.
- Failure to maintain good housekeeping and cleanliness at all job sites and on Town property.
- Failure to use tools that are in good repair with all guards and safety devices in place or the failure to use the right tools for the job.

- Late for work. Failure to be on time or time which allows for sufficient time to travel from the shop to the job site.
- Failure to wear, in an appropriate manner, all personal protective equipment as specified for the task (s) performed.
- Failure to complete a pre-trip inspection on vehicles or equipment, and perform an engine warm up (15 minutes minimum).

Serious Violations

- Falling asleep while on the job.
- Uttering verbal abuse at and/or showing disrespect for a supervisor.
- Uttering verbal abuse at or otherwise showing disrespect toward a co-worker, Council member or ratepayer.
- Showing disregard for one's own safety.
- Failure to immediately report an injury, property or vehicle damage to the supervisor and Administration.
- Failure to report all substandard acts and substandard conditions to the supervisor promptly.
- The misuse and/or abuse of Town property, tools, equipment and vehicles.
- Failure to open overhead doors sufficiently to allow for the safe passage of vehicles and equipment.
- Dangerous operation of any vehicle.
- Failure to operate any vehicle owned, leased or hired by the Town in accordance with work site rules, *The Highway Traffic Act* and any other applicable legislation.
- Fighting, horse play or practical joking while on the job.
- Require an employee to perform a task for which that person is not competent (possessing knowledge, training, and experience) without close and competent supervision.
- Compromising the safety and condition of people, equipment, material and/or the environment for the sake of time or other external pressures.

Extremely serious violations:

- Failure of the foreman to be attentive to the work in progress at the job site.
- Failure of the foreman to take corrective action when an unsafe condition or act is noted by him/her or reported to him/her.
- Theft or vandalism of company or client property.
- Failure of the foreman to promptly investigate or cause to be investigated any accident or near miss incident.

- Failure of the foreman to ensure, to the best of his/her ability, that all work under his/her supervision is conducted in accordance with all municipal rules, policies, procedures and practices.
- Refusal, in the appropriate manner, to wear all personal protective equipment as specified for the task(s) to be performed.
- Operating any vehicle owned, leased or hired by the Town without the appropriate drivers' license.
- No employee shall possess, consume or otherwise be under the influence of alcohol or illegal drugs while on or in Town property and at all Town work sites.
- Refusal to comply with appropriate work-related instructions from a supervisor.
- Demonstrating through actions or attitude, a disregard for the Town rules, policies and/or procedures.
- Directing an employee to perform an unsafe task.
- Being absent from work without an approved time off request or verbal approval (in accordance with Policy No.

Procedure:

1. Any period of measurement/evaluation (12 months/24 months) shall be a continuous period.
2. Whenever a member of Council, Administration, or a supervisor observes a subordinate performing a substandard act or creating or allowing a substandard condition to exist, that employee shall be apprised of the violation with a verbal warning which includes corrective instruction. That person shall make note of the violation including the name of the employee, time, date, etc. on the Notice of Violation Form. That person must submit this Form for review. Where an extremely serious violation has occurred, it must be reported to the Administrator or a member of Council immediately.
3. The degree of the violation will dictate the disciplinary action to be taken, as follows:
Extremely Serious: Immediate suspension without pay for a period of up to 25 days of work.
Serious: Immediate suspension without pay for a period of up to 15 days.
Minor: Upon accumulation of three (3) minor violations in any consecutive period of twelve (12) months or less, immediate suspension without pay for a period of up to five (5) work days.
4. The Administrator shall be notified immediately of any violation where a suspension is required and the Employee Relations Committee will suspend the violator up to five (5) working days.
5. When a violation by an employee has been reported, the Administrator will review the case to determine the extent of discipline beyond that noted in item #4.

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Procedure:

6. Any period of measurement/evaluation (12 months/24 months) shall be a continuous period.
7. Whenever a member of Council, Administration, or a supervisor observes a subordinate performing a substandard act or creating or allowing a substandard condition to exist, that employee shall be apprised of the violation with a verbal warning which includes corrective instruction. That person shall make note of the violation including the name of the employee, time, date, etc. on the Notice of Violation Form. That person must submit this Form for review. Where an extremely serious violation has occurred, it must be reported to the Administrator or a member of Council immediately.
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9. The Administrator shall be notified immediately of any violation where a suspension is required and the Employee Relations Committee will suspend the violator up to five (5) working days.
10. When a violation by an employee has been reported, the Administrator will review the case to determine the extent of discipline beyond that noted in item #4.
11. Upon return to work following a suspension the employee will be on probation as follows:
 - Extremely Serious:** up to 12 months
 - Serious:** up to 6 months
 - Minor:** up to 3 months

Any minor violation within the probation period will result in an immediate suspension for a period to be no less than twice (x2) the original suspension. In case of a suspension occurring during the probation period it shall be considered as, at the least, a serious violation for the purpose of return to work requirements. A serious or extremely serious violation during the period of probation may result in discharge.
12. For those returning to work after being suspended for an **extremely serious** or **serious** violation, the suspended employee must meet with management and express his/her understanding of the reasons for the suspension and what measures he/she will take to avoid future violations.

13. If at any time an employee receives a third (3rd) suspension within twenty-four (24) months following a return to work from a second (2nd) suspension, it may/shall result in immediate discharge.
14. Supervisors must ensure that all employees regardless of status are scrutinized and where violations are noted, a notice of violation must be submitted. This will greatly assist in the future hiring/recruitment process.
15. The disciplinary action recommended above is a minimum guideline for the administration of this policy. However, Council reserves the right to impose more stringent disciplinary action, up to and including discharge, if Council feels the situation warrants it
16. Any employee reserves the right to dispute any violation to Council.

TOWN OF LAMPMAN
Exhibit "A"
NOTICE OF VIOLATION

Employee Name: _____ Date: _____

Date of Violation: _____

Violation: _____

Degree of Violation:

____ Extremely Serious - Contact Administration immediately to advise.

____ Serious - Contact Administration immediately to advise.

____ Minor - Report to Administration.

Supervisors Name: _____
Print Name

Supervisors Signature: _____
Sign Name

Disciplinary Action:

____ Written warning _____ Days

____ Suspension _____ Dismissal

____ Other: _____

Additional comments: _____

Office Use Only:

Previous Violation: Extremely Serious _____ Serious _____ Minor _____

Date of Previous Violation _____ Probation: Yes _____ No _____

**** NOTE**:** All notices of violation require a written notice to be signed by the supervisor. A copy of the notice to be given to the employee and the original placed in the employee's file along with an Affidavit of Personal Service.

Administrator Comments: _____

Signature: _____

Date: _____

This is Exhibit "A" referred to in the affidavit of _____ sworn before me at the
_____ of _____, in Saskatchewan, this _____ day
of _____.

A Commissioner for Oaths for Saskatchewan or Notary Public
My commission/appointment expires on the _____ day
of _____.

AFFIDAVIT OF PERSONAL SERVICE

I, _____, of _____,
in Saskatchewan, _____ (*occupation*), make
oath and say:

THAT I did on _____, the _____ day of _____,
personally serve on _____ a true copy of the attached Notice of Violation
marked as Exhibit "A" to this my Affidavit, by delivering it to and leaving it with the previously
mentioned

_____ .

Sworn before me at the _____
of _____, in the
Province of Saskatchewan, this _____ day
of _____, _____

A Commissioner for Oaths for Saskatchewan or Notary Public
My commission/appointment expires on the _____ day
of _____, _____ .