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## Chapter 08

### Town of Mahone Bay

#### Code of Ethic Policy - Staff

**Preamble: All employees, when hired by the Town, shall be required to sign the oath of commitment to the Code of Ethic for the Town of Mahone Bay as described below:**

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#### 1. Purpose:

It is the policy of the Town of Mahone Bay to ensure that municipal employees are aware of what constitutes a conflict of interest or breach of trust and are aware of the level of conduct and integrity which is expected of municipal employees.

#### 2. Objective:

2.1 **Objectives** of this policy are to:

- a. provide Town of Mahone Bay employees with guidelines for identifying potential conflicts of interest and breaches of trust
- b. help ensure that Town of Mahone Bay employees do not place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust
- c. promote high standards of professional conduct and values among Town of Mahone Bay employees.
- d. help ensure that Town of Mahone Bay employees do not place members of Council or members of Town committees in a position that would place the Council or committee member in a conflict of interest or breach of trust.

#### 3. Responsibilities:

3.1 **Council will:**

- a. ensure that the Town of Mahone Bay has in place a comprehensive Code of Ethics Policy.
- b. review, amend, and adopt changes to the Code of Ethics Policy.

3.2 **The Chief Administrative Officer will:**

- a. implement, administer and promote the Code of Ethics Policy.
- b. ensure that department heads promote the ethical standards expressed within the Code of Ethics Policy to their employees.
- c. recommend amendments to the Code of Ethics Policy to Council.
- d. investigate and review any reported violation of the Code of Ethics Policy and approve and/or administer any subsequent corrective action.

### 3.3 **Responsibilities of Town of Mahone Bay Employees and Officials:**

- a. Town of Mahone Bay employees and public officials are agents of the public whose primary objective is to address the needs of the citizens. As such, they are entrusted with upholding and adhering to the bylaws of the Town of Mahone Bay as well as all applicable federal and provincial laws. As public servants, they must observe a high standard of morality in the conduct of their official duties and faithfully fulfil the responsibilities of their offices, regardless of their personal or financial interests.
- b. **Dedicated Service:** All officials and employees of the Town of Mahone Bay should faithfully work towards developing programs to address the needs of its citizens. In the course of their duties, officials and employees should strive to perform at a level which is expected of those who work in the public's interest.
- c. **Authority:** Employees should not exceed their authority, breach the law, or ask others to do so, and should work in full co-operation with other public officials and employees, unless prohibited from doing so by law or by formally recognized rules of confidentiality.
- d. **Use of Public Property:** No employee shall request, or permit, the use of municipal owned vehicles, equipment, materials or property for personal convenience or profit, except when these services are either available to the public generally or by municipal policy for the use of employees in the conduct of official business.
- e. **Obligations to Citizens:** No employee will grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens. In addition, no employee shall discriminate against any citizen in performing their employment or providing services to a citizen based on age, race, religion, national origin, political affiliation, sex, marital status, sexual orientation, or any other ground of discrimination defined by legislation or jurisprudence.
- f. **Conflict of Interest:** No employee, whether paid or otherwise, will engage in any business transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties or would impair their independence of judgment or action in the performance of their official duties. Personal interest, rather than financial, includes any interest arising from family or marriage relationships or close business or political associations. Over and above the provisions below, employees shall follow the provisions of Conflict of Interest found within the Municipal Government Act of Nova Scotia. The following are situations which constitute conflicts of interest for Town of Mahone Bay employees:
  - **Incompatible Employment:** No employee will engage in or accept private employment or render services for private interests when such employment or services are incompatible with the proper discharge of their official duties or would impair his/her independence of judgment or action in the performance of his/her official duties.

- **Disclosure of Confidential Information:** No employee will, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Municipality; nor will he/she use such information to advance the financial or personal interest of him/herself or others.
- **Gifts and Favours:** In keeping with established private-public business practices, no employee will show favouritism or bias toward any vendor, contractor, or others doing business with the municipality. Employees are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality that would tend to influence them in the proper discharge of their official duties.
- **Contracts with Municipal Unit:** No officer, agent or employee of the Town of Mahone Bay will have any interest, direct or indirect, in any legal Town of Mahone Bay contract issued by him/her or by any public committee, board, commission or department of which they are a member, agent, or employee.

However, an officer, agent, or employee of the Town of Mahone Bay may enter into a legal contract with the Town or any agency thereof for the sale and purchase of supplies, materials, or equipment or for the construction of public improvements if:

- they are not authorized by law to act on behalf of the Town of Mahone Bay or any agent thereof in the awarding of the contract
  - the tender is let in a written, public, and openly competitive manner
  - all bids received and all documents pertaining to the awarding of the contract are made available for public inspection for at least three (3) months following the date of the awarding of the contract
- g. **Disclosure of Interest:** Any Town of Mahone Bay employee who has a financial or personal interest in any proposed Council legislation, and who participates in discussion with or gives an official opinion to Council, will disclose on the records of Council the nature and extent of the interest.
- h. **Political Activity:** No employee of the Town of Mahone Bay will perform work, either volunteer or paid, on behalf of any political party or candidate during his/her hours of employment with the Town.

#### 4. Reporting Breaches of this Code

Employees who have reason to believe that this Code of Ethics Standard Policy has been breached in any way are encouraged to bring their concerns to the Chief Administrative Officer or Town of Mahone Bay Council. No adverse action will be taken against any employee who, acting in good faith, brings forward such information.

**5. Corrective Action**

- a. Violation of this Code of Ethics Policy by a Town of Mahone Bay employee may constitute a cause for corrective action in accordance with the Town's Discipline Policy.

Any reported violation of this policy will be subject to investigation by the Chief Administrative Officer and/or Council. If an investigation finds an employee guilty of a breach of the Code of Ethics Policy, the corrective action pursued against the employee will be commensurate with the nature and severity of the violation.

**6. General**

When administering this policy, employees must adhere to the Municipal Government Act (MGA) or any other federal or provincial Acts governing the Town of Mahone Bay and all relevant legislation pertaining to the subjects covered in this policy.

**Clerk's Annotation For Official Policy Book**

***Date of Notice to Council Members of Intent to***

Consider {7 days minimum notice}: April 25, 2013  
Date of Passage of Current Policy: May 14, 2013

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Clerk/CAO

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Date

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**ATTACHMENT A**

**STATEMENT OF COMMITMENT TO TOWN OF MAHONE BAY'S CODE OF ETHIC POLICY**

I, (Full Name) \_\_\_\_\_ declare that as an employee of the

Town of Mahone Bay, I acknowledge and support the Town of Mahone Bay Code of Ethic

Policy.

Signed: \_\_\_\_\_

Declared this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me.

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Chief Administrative Officer/Clerk-Treasurer