

 Region of Waterloo	HUMAN RESOURCES AND CITIZEN SERVICE POLICIES	Section #	Policy #
		I	8
		Approval Date: April 2004	Revision Date: Sept 2011
Title:	CODE OF ETHICS AND CONFLICT OF INTEREST		
Applies To:	ALL EMPLOYEES		

POLICY STATEMENT:

Employees of the Regional Municipality of Waterloo are required to carry out their duties on an impartial and objective basis, such that the public has confidence in their integrity and their dedication to the Region's best interests. Impropriety or bias must be avoided.

OPERATING DETAILS:

EMPLOYEE DUTY OF DISCLOSURE AND COMPLIANCE OBLIGATIONS

Each employee is ultimately responsible and accountable for using good judgment in the course of performing their Regional duties. If there is uncertainty as to whether a specific situation is in violation of this policy, the employee involved will address the situation with their immediate supervisor who will consult with Senior Management if required.

Where an employee is considering whether to engage in an outside undertaking or business and it appears such activity could give rise to a potential or actual conflict of interest, the employee has a positive duty to provide their supervisor with advance written notification as to the nature of the activity. Representatives of management will then determine whether the proposed activity could create an actual, potential, or apparent conflict of interest with the employee's Regional duties and obligations. Where such conflict is found to exist, the proposed activity will be prohibited. Alternatively, management may attempt, in its sole discretion, to identify acceptable alternatives to a prohibition of the proposed employee activity.

Each new employee joining the Region will declare to their department head any activities or involvement which may constitute a conflict of interest. They will then cease such activities unless otherwise authorized by the department head.

Observance of this policy constitutes a condition of employment for all employees.

FAILURE TO COMPLY WITH POLICY

Failure to comply with this policy will result in appropriate discipline up to and including termination of employment and/or legal prosecution.

DEFINITIONS

For the purposes of this policy, "conflict of interest" is defined as any situation in which an employee has a personal or financial interest which may affect the performance of their Regional job duties and/or adversely affect the reputation of the Region as a public authority in the community.

Any employee obligation, interest, distraction, or participation, which would or could interfere with the best interests of the Region or the employee's independent exercise of judgment on behalf of the Region, constitutes an unacceptable conflict of interest. Without limiting the generality of the foregoing, the definition of conflict of interest includes:

1. The provision of any services to the public that overlap with or duplicate those provided by the Region,
2. Any outside activity which adversely interferes with an employee's regular duties at the Region,
3. The use of Regional equipment, tools, materials, or property, in any form whatsoever, in the pursuit of supplementary employment including self-employment, or
4. Any activities, representations, or conduct outside of the Regional workplace which could appear to be official acts of the Region or could appear to represent the opinion or policy of the Region.

CONFLICT OF INTEREST AND UNETHICAL PRACTICES

Regional employees will avoid involvement in any outside interest or business activity which creates an actual, potential, or apparent conflict of interest. No employee will allow outside personal interests or relationships to interfere with or adversely influence the performance of their Regional job duties or their objective representation of the Region. These restrictions include but are not limited to the following situations:

Personal Interests\ Special Treatment: No employee will use their position with the Region, their influence as a Regional employee, or the confidential information available to them as a Regional employee for their own personal benefit or the benefit of others with whom they have personal relationships.

Outside Activities: Employees will not engage in any external work activity, advocacy role, or business undertaking in which they, or others with whom they have personal relationships, may derive an advantage from their employment with the Region

Influencing Decisions: Except as a private citizen, no employee will participate in any decision, promotion, or recommendation to management, Council, or Committees of Council in

which a personal interest exists for the employee or others with whom the employee has a personal relationship. No Regional employee will be involved in, or attempt to influence, any part of the hiring process when their relative is a candidate for the position. (See Also: **Employment of Relatives, Policy HR I-12**)

Appointments to Regional Bodies: Except in their capacity as a Regional employee, no staff member will seek or accept appointment to a Regional standing committee, ad hoc committee, task force, board or other body.

Appointments to Other Government Bodies: No employee will seek or accept appointments to other municipal, provincial, or federal commissions, boards, or committees without the permission of their department head, which will not be unreasonably withheld.

Appointments to Community Boards or Associations: No employee will accept an appointment to the board of a community agency or association, which deals with issues related to the work of the Region, without the permission of their department head, which will not be unreasonably withheld.

Purchase of Goods\ Services: The Region will not purchase goods or services from any Regional employee or any business entity, with the exception of publicly traded companies, in which the employee has a direct or indirect financial interest or over which the employee exercises control or direction.

FRAUD AND BREACH OF TRUST

Employees may not engage in behaviour that is fraudulent or that constitutes a breach of trust with the Region. Examples of such behaviour include but are not limited to:

- Using deceit to gain a personal advantage or benefit for oneself or others with whom one has a personal relationship
- Illegally obtaining money, including the solicitation and/or acceptance of bribes
- Providing false or incomplete information to the Region
- Falsifying records
- Deliberately circumventing policy or procedure to gain personal advantage for oneself or others with whom one has a personal relationship

ACCEPTANCE OF GIFTS, FAVOURS, ENTERTAINMENT, OR SOCIAL INVITATIONS

Employees will not seek or accept any gifts, payments, donations, benefits, or favours, including entertainment or social invitations, from any person or organization that may have dealings with the Region. The following exceptions apply:

1. Gifts of nominal value such as pens, pins, and mugs
2. Attendance at social events where:
 - a. the event is attended by a broad range of the sponsoring organization's customers and does not specifically cater to the Region,
 - b. there is no actual, potential, or apparent conflict of interest, and
 - c. permission to attend has been granted by the Department Head
3. Reasonable dining expenses where time spent involves ongoing Regional business in connection with established business relationships.

Any gifts, payments, tickets, or other items which are inadvertently received should be returned to the sender with an acknowledgement of return and reference to this policy. Alternatively, the items may be turned over to the employee's department head and used as a raffle prize to raise money for Regionally sanctioned charitable causes, such as United Way, with an acknowledgement to the sender.

ENTERTAINMENT OF OTHERS

An employee may, at the expense of the Region, purchase a meal for a professional or business associate of the Region where time spent involves ongoing Regional business in connection with established business relationships.

CAMPAIGNING AND ADVOCACY

Political campaigning on Regional property is not permitted.

Fundraising activities are not permitted during work hours or on Regional property unless related to a Regionally sanctioned, non-profit initiative, such as United Way.

Activist demonstrations or lobbying for any purpose are not permitted during working hours or on Regional property.

SEE ALSO:

- Political Candidacy/Campaign Activities (I-02)
- Confidential Information (I-04)
- Discovery and Reporting of Serious Wrongdoing (I-35)
- Employment of Relatives (I-12)
- Protection of Proprietary Information (I-29)
- Public Criticism of Employer (I-31)
- Soliciting/ Canvassing (I-21)
- Use of Information Technology Systems (I-06)
- Use of Regional Equipment and Vehicles (I-27)
- Social Media (I-38)

FOR FURTHER INFORMATION PLEASE CONTACT:

- Commissioner, Human Resources and Citizen Service