

CANADA
PROVINCE OF QUEBEC
HULL DISTRICT

MUNICIPALITY OF PONTIAC

R.C.M. OF THE COLLINES-DE-L'OUTAOUAIS

BY-LAW No. 09-12

CODE OF ETHICS AND PROFESSIONAL CONDUCT FOR THE MUNICIPAL EMPLOYEES OF THE MUNICIPALITY OF PONTIAC

- Whereas** the *Municipal Ethics and Good Conduct Act*, which came into effect on December 2, 2010, obliges local and regional municipalities to adopt a code of ethics and professional conduct for municipal employees;
- Whereas** the council of any municipality that does not have such a code that meets the requirements of the *Municipal Ethics and Good Conduct Act* must adopt one by by-law no later than December 2, 2012;
- Whereas** the formalities set out under the *Municipal Ethics and Good Conduct Act* have been upheld;
- Whereas** a notice of motion has been given on November 13th 2012.

It is

Moved by: Inès Pontiroli
Seconded by: Roger Larose

AND RESOLVED THAT the Municipality adopts the following code of ethics and professional conduct:

SECTION 1: TITLE

The title of this code is: Code of Ethics and Professional Conduct of the Employees of the Municipality of Pontiac.

SECTION 2: APPLICATION OF THE CODE

This code applies to every employee of the Municipality of Pontiac.

SECTION 3: OBJECTIVES OF THE CODE

The objectives of the code are as follows:

- 1) Give priority to the municipality's values;
- 2) Institute standards of conduct that foster the adoption of these values;
- 3) Prevent ethical conflicts and, should any arise, resolve them effectively and with good judgment;
- 4) Apply control measures to breaches of ethics.

SECTION 4: VALUES OF THE MUNICIPALITY

The following values shall serve as a guide for the conduct of municipal employees, especially when the situations encountered are not explicitly set out in this code or by the various policies of the municipality.

1) Integrity

All employees shall uphold honesty, rigour and justice.

2) Prudence in the pursuit of the public interest

All employees shall assume the responsibilities related to their mission of public interest. In the accomplishment of this mission, the employees shall act with professionalism, vigilance and good judgment.

3) Respect toward other municipal employees, council members and citizens

All employees shall foster respect in interpersonal relations. They have a right to respect and shall act with respect toward all people they deal with in the pursuit of their duties.

4) Loyalty to the municipality

All employees shall protect the interests of the municipality by upholding its laws and by-laws.

5) Quest for equity

All employees shall treat everyone fairly, in accordance with laws and by-laws.

6) Honour attached to the office of municipal employee

All employees shall safeguard the honour attached to their office, which presupposes the constant practice of the five preceding values: integrity, prudence, respect, loyalty and equity.

SECTION 5: RULES OF CONDUCT

5.1 Application

The rules set out in this section shall guide the conduct of municipal employees.

5.2 Objectives

These rules aim, in particular, to prevent:

1. any situation where the private interest of an employee might impair his or her independence of judgment in carrying out the duties of office;
2. any situation that would run counter to any provision of a government law or by-law or a municipal council by-law or an employee guideline;
3. favouritism, embezzlement, breach of trust or other misconduct.

5.3 Conflicts of interest

5.3.1 It is forbidden for employees to act or attempt to act, or omit to act, in any way, in carrying out their duties, so as to further their private interests or improperly further those of another person.

5.3.2 It is forbidden for employees to use their position to influence or attempt to influence another person's decision so as to further their private interests or improperly further those of another person.

5.3.3 It is forbidden for employees to solicit, elicit, accept or receive any benefit, for themselves or for another person, in exchange for taking a position.

5.3.4 It is forbidden for employees to accept any gift, hospitality or other benefit, whatever its value, that may impair their independence of judgment in carrying out their duties or risk compromising their integrity.

5.4 Use of municipal resources

It is forbidden for employees to use municipal resources for personal purposes or for any purpose other than activities related to their duties, subject to a specific policy controlling that use.

This ban does not apply when an employee uses, under non-preferential conditions, a resource placed at the disposition of the citizens.

5.5 Use or communication of confidential information

Employees must not make use of confidential information they obtain in or in connection with the execution of their duties. These obligations continue for a reasonable time after the cessation

of employment and continue indefinitely when the information relates to the reputation or private life of others.

5.6 Breach of trust and embezzlement

It is forbidden for employees to misappropriate municipal property for their own use or the use of another person.

SECTION 6: PREVENTION MECHANISM

Employees who feel they have been placed directly or indirectly in a situation of real, potential or apparent conflict of interest, or who are likely to otherwise contravene this code of ethics and professional conduct, shall advise their immediate supervisor.

In the case of the general manager, he or she must advise the mayor.

SECTION 7: BREACH AND DISCIPLINARY MEASURES

A violation by an employee of a rule set out in this code of ethics and professional conduct may, on the decision of the municipality and subject to any employment contract, lead to the application of disciplinary measures appropriate to the nature and severity of the violation.

SECTION 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This code shall not be interpreted to restrict the obligations imposed on municipal employees by laws, by-laws, codes of professional conduct, work contracts including collective agreements, policies or municipal guidelines.

SECTION 9: ENTRY INTO FORCE

This by-law shall come into force in accordance with the law.

Carried

GIVEN IN PONTIAC (QUEBEC), this 13th day of December, *two thousand and twelve*.

Edward J. McCann
Mayor

Sylvain Bertrand
Director General / Secretary-Treasurer