



CITY OF YELLOWKNIFE

## **Doing the Right Thing .....**

# **Ethical Conduct for City of Yellowknife Employees**

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1. WHY DO WE NEED A CODE OF ETHICS?

A position in government is a position of public trust. For this reason, the standards of behavior for public employees are often higher than those of employees in the private sector.

As public employees in Yellowknife's city government, we are employed by the citizens of Yellowknife. We are judged not only by our official actions and conduct, but also by our personal activities when they are related to our work for the City.

City Council, elected by the citizens of Yellowknife, relies on us as its representatives to perform City business efficiently and economically, to protect City interests, and to meet the high ethical standards of public service.

Because high ethical standards are critical to a local government's credibility, all City employees must be familiar with the ethical policies that regulate their behavior and must be concerned with how their behavior is viewed by the public.

All of us...employees, supervisors, department heads and the City Administrator share the responsibility for ensuring that high standards of ethical conduct are maintained within City government.

This Code of Ethics contains commonly practiced rules that we, as public employees, have always been required to follow. With the increasing attention on ethical issues in the press and elsewhere, we want to be certain that every employee understands what is right and what is wrong. This booklet has been distributed to make you aware of the rules and policies which affect you and to provide you with guidelines for behaving in a way that will help you serve the public in an efficient and professional manner.

If an employee feels that they have been subjected to or witnessed discrimination or harassment in the workplace then that person shall refer to the City's Respectful Workplace and Anti-Harassment Policy.



2. CODE OF ETHICS FOR CITY EMPLOYEES

Each employee of the City of Yellowknife should:

- a. Uphold the Constitution, laws and regulations of Canada and the Territory of N.W.T. and never be a party to their evasion.
- b. Uphold the policies and by-laws of the City of Yellowknife and never be a party to their evasion.
- c. Treat all members of the public and co-workers with respect, courtesy, concern and responsiveness, and never discriminate by dispensing special favors or privileges to anyone.
- d. Give a full day's work for a full day's pay, and give earnest effort to the performance of assigned duties as efficiently and economically as possible.
- e. Accept no special favors, privileges, benefits or gifts offered by a member of the public or by persons or businesses regulated by the City, doing business with the City or seeking to do business with the City.
- f. Use no City property, funds or time for personal purposes unless prior approval for such has been granted in writing by the SAO or their delegate.
- g. Use no information gained confidentially in the performance of City duties as a means of making profit.
- h. Make no private promise of any kind which is binding upon the duties performed as an employee.
- i. Engage in no activity, either directly or indirectly, which is inconsistent with the conscientious performance of City duties.
- j. Demonstrate the highest standards of personal integrity, honesty and conduct in all activities in order to inspire public confidence and trust in City employees.
- k. Expose corruption, misuse of official authority or any action which harms the public interest wherever and whenever discovered.



3. VALUES FOR CITY EMPLOYEES

There are ten universal values which guide and motivate ethical behavior. These are:

- a. honesty
- b. caring for others
- c. integrity
- d. respect for others
- e. promise-keeping
- f. responsible citizenship
- g. fidelity or loyalty
- h. pursuit of excellence
- i. fairness
- j. accountability

Two additional values are especially applicable to employees involved in government:

- k. protection of public trust
- l. fiscal responsibility

These values are the foundation of the high standard of conduct expected of City employees. While it is true that some values will not apply to every situation, others will apply to all situations. Everything we do as City employees must be motivated by ethical values. If we are successful in meeting and maintaining the high standard expected of us, the City's government will be perceived as ethical, and we will be trusted by City Council and the public to work on their behalf.

As employees of a public organization, it is important that we work within a value system which will strengthen the public's confidence in our ability to serve the public interest.

We have defined a set of values to establish our identity as an ethical and professional organization that is committed to serving the community. The organizational values of Yellowknife's City government are:

- m. accessibility
- n. effectiveness
- o. responsiveness
- p. equity
- q. proficiency
- r. efficiency



We, the employees, are the organization known as the City of Yellowknife. Our actions, individually and collectively, will communicate our values to the citizens we meet every day.



4. WHAT DO THESE VALUES MEAN?

Honesty, integrity: comply with all laws, regulations, City policies, etc. While performing your duties, be truthful; do the right thing because it is the right thing.

Promise keeping: if you say you are going to do something, do it.

Loyalty: show commitment to organizational values; be a team player; don't "do your own thing."

Fairness: be objective and impartial in decision making; treat all persons with equal courtesy and concern.

Caring for others, respect for others: practice the golden rule: do to and for others what you would like done to and for you in similar circumstances.

Responsible citizenship - do not violate the rights of others; put the public good above what is good for you; set a good example; tolerate no illegal or unethical actions by anyone.

Pursuit of excellence: approach every task with the idea that "if it is worth doing, it is worth doing right"; take pride in doing the best possible job that you can do.

Accountability: take responsibility for your actions.

Protection of public trust: take no action or make no decision which will harm the public or which will weaken the public's confidence in your ability to serve the public.

Fiscal responsibility: guard the "public purse" as if it were your own.

Efficiency, effectiveness: provide the best possible service to the public in the most cost-effective way.

Equity: provide an equal level and quality of service to all citizens and all areas of the community.

Accessibility: communicate openly and honestly with the public; be prepared for public scrutiny at all times.



Responsiveness: answer each citizen's questions thoughtfully, honestly and as fully as possible without violating department or City policies or the rules of confidentiality; if you don't know the answer, help the citizen obtain the answer from the appropriate person; respond to complaints promptly.

Proficiency: strive for a high level of competency in performing duties and responsibilities; work constantly to improve your ability to serve the public.





5. SOME BASIC DEFINITIONS

As used in this guidebook, words and terms listed below shall be defined as follows:

**Abuse:** improper or perceived improper use of City resources for personal benefit without criminal intent - includes not only money, but any type of service or consideration given for the benefit of an employee or for the benefit of another person or entity.

**Appearance of impropriety:** the perception that wrong-doing or misconduct may have occurred; when a "reasonable person" could "reasonably believe" that "where there's smoke, there's fire".

**Benefit:** refers to an advantage, favor, exemption or anything of value.

**Conflict of interest:** a situation in which regard for a private interest tends to lead to disregard of a public duty or interest.

**Corruptly:** done with a wrongful intent and for the purposes of obtaining a benefit as a result of an employee's action or inaction which is inconsistent with the proper performance of the employee's public duties.

**Defraud :** to intentionally cheat or deceive for personal benefit; usually involves a violation of a civil or criminal law.

**Employee:** a person hired by the City of Yellowknife to perform work in return for wages or salary; all persons in full-time or part-time positions on a regular, probationary or temporary basis are defined as employees.

**Ethics:** principles of right and wrong behavior.

**Guideline:** an example; because guidelines cannot show every situation which might occur, it is the employee's responsibility to be sure they are not violating an ethics policy or rule.

**Official action:** any decision or action taken (or not taken) in performance of duties or responsibilities as a City employee.

**Official duties:** those duties performed on behalf of the City while an employee is "on the clock" and for which compensation is received from the City; this does not include activities engaged in "off the clock" which may involve similar types of skills.



6. WHAT ARE THE RULES?

- a. An employee must not take any action or make any decision, whether or not specifically prohibited, that might result in or create the appearance of:
  - i. using public office for private gain;
  - ii. showing disrespect to any member of the public;
  - iii. discriminating against or harassing anyone;
  - iv. giving preferential treatment to anyone;
  - v. impeding the efficiency or economy of City government;
  - vi. making a private promise or agreement which is binding on the City;
  - vii. making a decision on City matters outside of official channels; or
  - viii. adversely affecting public confidence in the integrity of City government.
- b. An employee must be particularly careful that private interests and activities do not conflict with their public duties or adversely affect their ability to fulfill the responsibilities of their City position.
- c. An employee must avoid the appearance of impropriety at all times.



7. CAN YOU USE CITY PROPERTY FOR PERSONAL REASONS?

In order to ensure that there is not a perception that employees benefit personally as a result of their employment with the City, employees are prohibited from using City equipment, facilities or property for anything other than City business, unless prior approval is received from the SAO or their delegate.

DEFINITIONS

City property: all City equipment, vehicles, supplies, facilities or other resources whether owned by the City or leased for City purposes.

Personal purposes: refers to any activity which is not performed as part of an employee's officially approved City duties and responsibilities.

GUIDELINES

Examples of improper use or abuse of City property include:

- a. using City envelopes or postage to mail personal correspondence or other items;
- b. using the City photocopier or FAX machines for personal matters without reimbursing the City at the same rate charged to members of the public;
- c. using a City vehicle to run a personal errand;
- d. using a City telephone or using City time to engage in personal phone calls which last longer than a few minutes (brief personal calls may be necessary from time to time and are permitted, but don't abuse this policy by tying up City phones for personal business; personal long-distance calls at City expense are prohibited.);
- e. using City computers for personal matters unless all of the following conditions are met:
  - i. the use is not during working hours,
  - ii. the use has been approved by a Director or the City Administrator,
  - iii. the use is reimbursed at a rate determined by the Director or City Administrator according to the type of equipment used and the purpose for which it is used; or
- f. selling commercial products in a City building.



8. CAN YOU ACCEPT GRATUITIES? ARE GIFTS THE SAME AS GRATUITIES?

City employees shall not accept gifts and gratuities, favors or services from any individual or organization in the course of the performance of civic duties other than:

- a) the exchange of hospitality among persons doing business that could not be construed as payment;
- b) tokens exchanged as a part of protocol;
- c) normal presentations made to persons participating in public functions;
- d) discounts that are offered to all employees of the municipal corporation.

However, under no circumstances should an employee solicit any gratuity or gift from any person or accept a gift or personal benefit in excess of \$100.00.

DEFINITIONS

Gratuity: any gift, favor, reward, entertainment, loan, meal or other item of monetary value tendered to an employee by any sources other than the City in connection with the performance of official duties.

Solicit: to ask or seek, tendered, offered and accepted; does not refer to items paid for by an employee at the same cost as would be paid by any member of the public.

GUIDELINES

Examples of items which are not considered unethical and may be accepted include:

- a. gifts given to an employee by a family member, personal friend or co-worker when the circumstances make it clear that it is the personal or social relationship which motivates the gift;
- b. loans from banks or other financial institutions solicited or accepted on the same terms available to all members of the public;
- c. unsolicited items of small monetary value routinely distributed to customers by business for advertising purposes ( e.g. calendars, note pads, pens, etc. bearing a commercial message or logo);
- d. awards, plaques or similar personalized items given in recognition of the employee's public, civic, charitable or professional service;
- e. donations or gifts of food or non-alcoholic beverages delivered to the work-site which are intended to be offered or distributed to all employees present at the work-site and which are consumed at the work-site; and



- f. discounts which are offered by a business for promotional purposes and which are offered to all members of a particular category regardless of who their employer may be (e.g., all fire fighters in the Territory, all senior citizens, all employees whose employer joins a corporate program etc.);

Examples of unethical gifts or gratuities which are not to be accepted include:

- a. airline tickets, fishing trips, family outings (i.e. dinner, theater, event tickets, etc...).
- b. Christmas or "thank-you" gifts from members of the public or from vendors, contractors, consultants, etc., in excess of \$100.



9. CAN YOU ACCEPT "HONORARIA"?

All honoraria offered to City employees must be refused. No employee may solicit any honorarium from any individual or organization. Actual and reasonable expenses incurred by the employee in relation to an honorarium event will be reimbursed by the City.

DEFINITIONS

Honorarium: the payment of money or anything of value to an employee for giving a speech, program, presentation or similar address or for writing a paper or article; does not include payments received for services related to outside employment.

Honoraria: plural form of "honorarium".

Solicit: to ask or seek.

GUIDELINES

Examples of honoraria include:

- a. a monetary payment for speaking to a professional, civic, political, advocacy or other organization in connection with official duties; or
- b. desk sets, pens, watches, etc. or other gifts of value greater than \$100.00.

Honoraria does not include:

- c. plaques, certificates or similar items; or
- d. a meal offered on the premises for giving a speech or participating in a program, presentation, etc., before a professional, civic or other organization in connection with official duties.



10. CAN YOU HOLD A SECOND JOB?

City employment is the first priority. Any employee may engage in outside employment, but only if that outside employment will not adversely affect the performance of official duties and will not conflict with responsibilities to the City. Anyone engaging in outside employment must give written notice to their Department Head in accordance with policy # 1010.01.

DEFINITIONS

outside employment - employment after an employee's normal City working hours by any business, corporation, etc., including a business, corporation etc., owned by the employee.

adversely affect - interfere with normal performance of City duties because of fatigue, conflicting work schedules, etc., or prevent employee from responding to an emergency situation which might occur after employee's normal City hours.

conflict - create an illegal, unethical or otherwise inappropriate relationship between an employee's obligation to the public good (the City) and the employee's obligation to any private interest (their own or that of another employer).

GUIDELINES

Outside employment is improper if it:

- a. impairs your mental or physical capacity to perform City duties;
- b. is likely to cause criticism or embarrassment to the City;
- c. requires your attention during official working hours or requires the use of City time or supplies;
- d. requires you to share or make use of official information that is confidential or not available to the general public except by request;
- e. promotes the use of your title or position with the City or implies an official City endorsement of your outside employer's business, service, product, etc;
- f. involves working for an employer who is doing business with the City or is likely to require inspection, permitting or other regulation or action by your Department; or
- g. creates a real or perceived conflict of interest.



11. CAN YOU TAKE PART IN POLITICS?

Employees share with other citizens the right and responsibility to vote and to voice their opinion on public issues. However, because we are public employees and responsible to all citizens, employees may not engage in political activities during working hours nor can they engage in partisan political activities which would impair their ability to serve the public at large.

DEFINITIONS

Partisan political activities: activities which strongly promote one side, or person in a campaign for election.

Impair: weaken, damage or reduce.

Coerce: to force someone to do something, either by implied or direct threat.

GUIDELINES

Improper political activity includes:

- a. participating in an election campaign on behalf of or in opposition to candidates for City Council which could cause criticism or embarrassment to the City or which could impair your effectiveness in serving the City;
- b. using official authority or influence to interfere with an election or nomination to office or to coerce or influence another person's vote;
- c. placing signs, stickers, buttons or other material on City property or engaging in any activity that may imply an official City position regarding a particular candidate or issue;
- d. seeking election to City Council while maintaining status as a City employee.





12. CAN YOUR RELATIVES WORK FOR THE CITY?

Yes, other than certain exceptions. Employees may not have relatives reporting to them directly. They cannot employ, supervise, evaluate or promote any relative. This is further explained in Human Resources Policy #1020.01.

DEFINITIONS

Relative: spouse, parent, child, grandparent, brother, sister, uncle, aunt, nephew, niece, first cousin, step-parent, step-brother, step-sister, half-brother, half-sister or relative through marriage (in-laws).

GUIDELINES

A relative may not work in your department/division if:

- a. you are in a supervisory position within your department/division and would have supervisory responsibilities over the relative; or
- b. you are in a position to evaluate or appraise the performance of the relative.



13. WHAT ABOUT USING INFORMATION PICKED UP ON THE JOB?

An employee may not divulge any information, other than public information, that was obtained as a result of their City position to gain personal advantage for themselves or anyone else.

DEFINITIONS

Information obtained as a result of City position: refers to any information that has not been distributed to the public through media reporting, direct mail, public hearings or published legal notices or information that is available to a member of the public only by request.

Personal advantage: refers to placing the employee or the recipient of the information in a position of advantage over the general public, a situation which constitutes a violation of the public trust; this does not refer to the divulgence or use of information on the performance of official duties.

GUIDELINES

Examples of using information for personal advantage include:

- a. knowing that the price of real estate in a certain area will go up because of a proposed private development project that has not yet been made public and then purchasing real estate in the area or advising others to purchase before prices go up;
- b. disclosing the low bid on an item to be purchased or contracted by the City so that another bidder can adjust their own bid downward;
- c. hearing that City officials may take a particular action and “leaking” the information to a member of the press before the action becomes a matter of public record or is released to the press in general (this places the newspaper or reporter in a position of advantage over competitive media outlets);
- d. knowing that the City administration is investigating an employee for suspected misconduct and “tipping off” the employee by providing them with details of the investigation; and
- e. using City records to compile mailing lists for use in an outside employment situation (these records may be public and available to the public upon request, but it is improper for an employee to use such records for personal gain).



14. WHAT IS COERCION?

Coercion is using your position to force or threaten someone. An employee may not use their position with the City, or allow a family member to use the employee's position with the City to coerce a person to provide benefits to the employee or to anyone else.

DEFINITIONS

Coerce: to force or compel someone to do something, either by implied or direct threat.

Benefit: a favor, special privilege, exemption, etc.

Threat: an expression of intent to hurt, punish or "make life more difficult".

GUIDELINES

Examples of using an official position to coerce someone include:

- a. implying that inspections will be easier to pass if the contractor performs the building inspector a favor (like wiring their house at cost, etc.);
- b. implying that building plans might take a long time to review unless the developer does something for the building official;
- c. indicating that MED patrols might be less regular if a restaurant owner does not provide free lunches to the officers; and
- d. avoiding a traffic ticket by reminding the officer that you are a City official.



15. ARE THERE BUSINESS AND CONTRACT RELATIONSHIPS WHICH ARE PROHIBITED FOR CITY EMPLOYEES?

An employee acting as a purchasing agent **may not** purchase, rent, or lease any realty, goods or services for the City from a business entity in which they, their spouse or child own more than a 10% interest.

An employee, acting in a private capacity, **may not** rent, lease or sell any realty, goods or services to the City.

An employee **may not** hold employment with or hold any contract with any business entity doing business with the City.

An employee **may not** hold employment or have any contractual relationship which will create a frequently recurring conflict between their private interests and public duties or which will impede the full and faithful discharge of public duties.

DEFINITIONS

Purchasing agent: any employee with authority to commit the expenditure of public funds through a contract or purchase; does not refer to employees who only have authority to request or requisition a contract or purchase by another person.

Business entity: any corporation, partnership, limited partnership, proprietorship, firm, enterprise, franchise, association, self-employed individual or trust doing business in this Territory.

GUIDELINES

Exemption to the restrictions on employees holding outside employment or contracting with the City exist due to the remoteness and competition available in the City. The prohibition may not apply:

- a. when the business is rotated among all qualified suppliers in the City;
- b. when the business is awarded by sealed, competitive bidding and the employee, their spouse or child have not attempted to persuade City personnel to enter into the contract and the office of the SAO had been advised;
- c. when an emergency purchase must be made to protect the public's health, safety or welfare;
- d. when the business entity is the only source of supply within the City and there is full disclosure of the employee's interest to the SAO; or
- e. when the transaction does not exceed \$500.00.



16. SOCIAL NETWORKING

Social media, professional networking sites, rapid-fire communications, blog sites, and personal websites are all useful technologies. Every employee has an opportunity to express and communicate online in many ways, and the City of Yellowknife encourages an online presence.

However, it is important to recognize that material posted on a social networking site or in an email reflects on you and on the City of Yellowknife. Our relationships with the citizens of Yellowknife are valuable and can be damaged through a thoughtless comment, inappropriate pictures or actions.

To make everything clearer and your job easier for all online communications in reference to the City of Yellowknife, please refer to the Communications & Economic Development policy on Social Media located on City Central.



17. WHAT SHOULD YOU DO IF YOU KNOW ABOUT AN ILLEGAL OR UNETHICAL ACTION OR DECISION?

Employees are expected to expose a violation of law by an employee or business entity with which the City is doing business if such violation creates a substantial and specific danger to the public's health, safety or welfare.

Employees are expected to expose improper use of public office, waste of funds or any other abuse or neglect of duty on the part of the City, a City employee, or a member of the City Council or any City board.

This can be reported to any Department Head, SAO, Human Resources, or any appropriate outside agency (RCMP).

Retaliation against an employee who reports any violation, abuse or other improper actions is strictly prohibited.

DEFINITIONS

Expose: to reveal the existence of an illegal or improper act by reporting the act to any member of the City administration with authority to investigate, manage or otherwise remedy the violation (e.g. Manager, Department Head, City Administrator or Mayor).

Retaliation: discharge, transfer, suspension, demotion or other disciplinary action, reduction in salary or benefits, or any other adverse action against an employee who has reported an illegal or improper act.

NOTE: Employees who knowingly make false accusations are not protected from disciplinary action.



18. WHAT ARE THE PENALTIES FOR VIOLATION OF THE ETHICS CODE?

NON-CRIMINAL PENALTIES FOR ETHICS VIOLATIONS:

In accordance with the City of Yellowknife's discipline policy, failure to act in an ethical manner as described in this booklet or any violation of any standard of conduct, shall constitute grounds for consideration and the employee may be subject to discipline.

FELONY CONVICTIONS:

Immediate dismissal. These offences include: Embezzlement or theft of public funds, bribery, unlawful compensation or reward for official behavior; felonies committed with intent to defraud the public or to defraud the public agency in which they are employed.



19. HOW CAN YOU FIND OUT IF SOMETHING IS UNETHICAL OR ILLEGAL?

The Manager of Human Resources and/or the City's Legal Counsel will serve as advisors and interpreters of this policy. They may:

- a. review outside employment notices approved by Department Heads to determine if a prohibited conflict of interest exists;
- b. issue advisory opinions regarding the applicability of the City's Ethics Policy to particular situations; and
- c. issue advisory opinions as to whether specific actions are in violation of the City's Ethics Policy.

Human Resources' serves in an advisory capacity with respect to disciplinary matters therefore they will work jointly with Managers and Department Heads to review and assess penalties and/or take disciplinary action.

PROCEDURE

Requests for review of outside employment will be done in accordance with Human Resources Policy #1010.01.

Requests for advisory opinions regarding the applicability of an ethics policy to a particular situation may be made by any City employee. The request should be in writing and forwarded to Human Resources. Within ten working days after receiving a request, Human Resources will forward a written advisory opinion to the employee.

Requests for advisory opinions as to whether specific actions are in violation of the City's Ethics Policy may be made by any City employee. The request should be in writing and forwarded to Human Resources. Within ten working days after receiving a request, Human Resources will forward a written advisory opinion to the employee and forward a copy to the applicable Department Head.

If Human Resources issues an opinion which indicates that a violation has occurred, the Department Head must advise the SAO regarding action taken or to be taken.





20. HOW DO YOU FIND OUT MORE INFORMATION?

Review Human Resource Policy and Procedure Manual or contact your supervisor or the Human Resources Division.

Professional Associations are also a good guide to follow with respect to whether there are any ethical considerations to be taken into account in certain situations.