
HUMAN RESOURCES – EMPLOYEE CODE OF CONDUCT

1. PREAMBLE

Oakville Public Library (OPL) is committed to maintaining the highest standards of professional excellence consistent with our core values.

OPL's core values are:

- Integrity
- Intellectual Freedom
- Accessibility
- Service Excellence
- Collaboration
- Adaptability

This Code of Conduct (referred to hereafter as "Code"), has been established to ensure that employees adhere to the highest standards of professional conduct. This policy is not intended to address every situation and represents general standards and expectations for all employees.

Each employee has the obligation to ensure compliance with the Code, which is a condition of employment. Failure to comply with the Code may result in disciplinary action, up to and including termination of employment.

2. PURPOSE

The Code clarifies OPL's expectations for all employees by establishing clear and reasonable standards of conduct required of all employees and provides guidance in the actual determination of appropriate conduct in the workplace.

Employee conduct should demonstrate integrity, transparency and dignity. Employees are expected to display behaviour that is above reproach, and that can withstand public scrutiny. The Code is meant to prevent both employees and OPL from placing the organization at risk.

3. INTERPRETATION AND APPLICATION

The Code includes principles outlined in various OPL policies and practices. The Code supports, but does not replace the use of good judgment regarding personal and professional conduct. The absence of a specific policy or regulation or Code provision does not dismiss any employee from the responsibility of exercising the highest standards of conduct in all situations. The Code itself does not alter or replace additional OPL policies already in place that may be more restrictive or specialized (e.g. OPL's Workplace Violence & Harassment Policy, Whistleblower Policy)

Nothing in the Code is intended to conflict with OPL's obligations under various agreements or employment contracts.

Matters requiring interpretation of the Code are to be referred to the CEO. Matters requiring interpretation of the Code where the CEO's actions are in question are to be referred to the OPL Board.

4. SCOPE

This policy applies to all OPL employees and volunteers.

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5. COMPLIANCE WITH LAWS & REGULATIONS

All employees are required to comply with all laws and legislation and avoid situations where they become party to a breach, evasion or subversion of the law.

6. GENERAL PRINCIPLES

All employees must strive to:

- a) conduct themselves in a manner that protects OPL's reputation and ensures continued confidence in the Library system;
- b) treat all persons honestly and fairly, and with proper regard for their rights, entitlements, duties and obligations, and to act responsibly in the performance of their duties at all times;
- c) be professional and courteous in dealing with fellow OPL employees, Board members, Town of Oakville (referred to hereafter as "Town") employees, Mayor and Councillors, customers and all members of the public and to resolve any work related disagreements in a mature manner, based on reasonable expectations;
- e) carry their duties in a fair, impartial, and transparent manner;
- f) promote the health and safety of others;
- g) avoid using their position improperly for personal advantage;
- h) avoid using insider information, internal protocols or procedures for personal gain;
- i) resolve any conflict between personal interests and public duty in favour of the public interest; and
- j) ensure that they take all steps to ascertain that Personal Information and Confidential Information obtained in the course of their employment is safeguarded and protected in accordance with the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), or as required by other laws.

7. BEHAVIOUR AND PROFESSIONALISM

OPL employees interact with customers in receipt of library services or programs, community agencies, contractors, suppliers, and the general public on a daily basis. It is through professionalism, courtesy and objectivity in these interactions that employees achieve respect for one another. Employees are viewed as ambassadors of the library and are expected to reflect a professional image while on duty. Employees do this by being conscious of the Library's public duty and by conducting themselves with the highest degree of moral and ethical behaviour and integrity. This is particularly important when employees are wearing an OPL name tag or logo.

When interacting with their co-workers, employees must be professional, courteous and respectful towards one another at all times; this includes being respectful of the property of others.

Employees are required to become familiar with and follow conduct set out in town-wide Rzone procedures.

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8. WORKPLACE HEALTH & SAFETY

OPL is responsible for promoting health and safety practices for the protection of its Employees and the public. Unsafe practices will not be tolerated.

OPL promotes a safe and healthy workplace by supporting a formal program of education and training; prevention programs, a workplace violence and harassment prevention program and reducing injuries and occupational illness through accident investigations, follow-up action and the recommendations of the Joint Health and Safety Committee.

All employees have a shared responsibility for promoting workplace health and safety. Managers are responsible for ensuring employees are: aware of any potential work hazards; trained in safe work practices; and comply with health & safety laws, rules and regulations of Ontario. All employees are required to take every reasonable and necessary precaution to ensure their personal safety and wellness as well as that of their colleagues.

It is the responsibility of each employee to be thoroughly informed of OPL's Workplace Violence & Harassment Policy and Procedure.

9. CONFIDENTIAL AND PERSONAL INFORMATION

At times, employees may be privy to Confidential Information and/or Personal Information concerning the affairs of OPL, the Town or Town employees, other OPL employees, or members of the community. Employees are not to discuss or pass on confidential or personal information unless the exchange is necessary for a sanctioned business purpose or enforced by law. Adherence to this practice will reduce the chances of inadvertent release of information.

In keeping with MFIPPA, personal information pertaining to employees of the OPL is confidential. Access is limited to authorized employees, and to the employee to whom the information relates.

Personal information pertaining to OPL employees shall not be made available to any other person except pursuant to such process, order, or subpoena as may be authorized by law.

10. CONFLICT OF INTEREST

A Conflict of Interest refers to a situation in which private interests or personal considerations may affect an employee's judgement in acting in the best interest of OPL. It includes, for example, using an employee's position, confidential information or corporate OPL work time, material or facilities for private financial gain or the expectation of private gain or advancement. A conflict may occur when an interest benefits any member of the employee's family, friends or business associates.

Even if the employee feels that his/her independent judgement is not influenced by such a situation when acting on OPL's behalf, any perceived conflict of interest must be reported to his/her supervisor/manager, who will advise the Manager, Human Resources in writing. A decision will be made by the appropriate parties to determine if the conflict is substantial enough to exclude the employee from any further involvement in the activity or decision process.

Similarly, a conflict may exist where the employee could influence the decision made in the course of performing his/her job duties, and also where he/she could influence the decision through exerting personal influence over the decision-maker, which results or appears to result in:

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- an interference with the impartial exercise of an employee's duties and responsibilities for OPL; or
- a gain or loss of an advantage by virtue of an employee's position with OPL.

The following are some examples of Conflict of Interest situations:

- influencing an approval process resulting in the hiring of a relative
- an employee engaging in private employment or rendering services for any person or organization that has or may have business dealings with OPL.

The choice of suppliers of goods and services to OPL must be awarded in accordance with the Town's Purchasing By-law.

The avoidance of actual and perceived conflicts of interest is essential to ensuring employees fulfil OPL's obligations to the public and each other.

11. GIFTS AND BENEFITS

Employees may not accept gifts, money, discounts or favours including a benefit to family members, friends or business associates for doing work that the OPL pays them to do.

Employees are not to accept or provide any gift or benefit where it may be, or perceived to be, in exchange for favour or influence.

Infrequent Exceptions:

- Small holiday gifts (cards or edibles, such as chocolates or cookies)
- Advertising material (calendars, scratch pads, disposable pens, t-shirts)
- Any gift that is a common expression of courtesy or within the normal standards of hospitality

12. OTHER EMPLOYMENT

To ensure excellent service levels are maintained, employees are expected to refrain from other employment, business activity or other undertakings under the following conditions:

- while on duty
- that interferes with the performance of their duties for OPL
- that creates a conflict of interest
- that is in conflict with a by-law, policy, plan or objective of OPL or that is in any way contrary to the interest of OPL
- from which they derive some form of benefit by virtue solely because of their employment with OPL.

If the employee is unsure as to whether or not the carrying out of any other employment, business activity or other undertaking would create an interference, conflict or improper benefit, the employee must seek guidance from their Manager, or the Manager of Human Resources.

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13. CONTEST AND LOTTERIES

In order to ensure that OPL is compliant with all legislation related to contests and lotteries OPL management will outline the circumstances under which OPL employees and/or family members may participate in OPL contests.

The intent of promotional contests is to encourage increased awareness and/or use of an OPL program or service by the public.

In order that there be no perception of bias, OPL employees may not participate in any OPL contest open to members of the public. Even in the case where an OPL employee may be considered to be participating as a customer (e.g. attending an adult program with a door prize), he/she is still not eligible to participate in the contest component of the program.

Immediate family members of OPL employees may only participate in OPL contests where the winners are chosen randomly.

14. CONFIDENTIALITY OF INDIVIDUAL PATRON BORROWING RECORDS

Statutory/Regulatory/Related Board Policy Links:

- Municipal Freedom of Information and Protection of Privacy Act
- Public Libraries Act
- Internet Access and Acceptable Use policy

Customer borrowing and online use records are confidential.

The only instance when confidentiality may not apply is if customers do not return items on time, or owe the library money. OPL reserves the right to provide such information to other libraries, a collection agency or to take legal action if warranted.

15. MEDIA CONDUCT

OPL is committed to keeping its community informed and it is important that messages to the media be clear, consistent and accurate.

OPL's Community Engagement department is the central contact point for all requests for information by the media. All such information requests received by employees shall be forwarded to, and fielded by, the Director, Community Engagement, or in his/her absence, the CEO.

The following designated spokespersons are permitted to speak on behalf of the Oakville Public Library:

- Chair of the Board
- CEO
- Director, Community Engagement

No one else is authorized to speak to the media without prior written authorization from the CEO or his/her designate.

The Director, Community Engagement, will confer with the CEO or in his/her absence, the Executive Director in-charge, to determine the appropriate course of action.

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16. SELLING ARTICLES TO EMPLOYEES

Employees who wish to offer or recommend items for sale to fellow employees are welcome to post signs, articles, lists or catalogues on the employee bulletin boards; however, articles, lists, notices and catalogues should not be displayed in public locations in OPL facilities.

Any collection offers or salespersons wishing to leave samples for purchase should be referred to the collection librarians so that normal procedures may be followed.

17. TELEPHONE CALLS

Occasionally, employees may need to make personal telephone calls. Personal telephone calls should be of short duration, and only when necessary, and should not interfere with an employee's duties. Personal calls should not be made from a public service desk.

18. APPROPRIATE EMPLOYEE USE OF INFORMATION TECHNOLOGY AND SOCIAL MEDIA

Information technology resources including computing devices and associated peripherals, communications infrastructure and related equipment, facsimile machines, scanners, copiers, telephones, video and other multimedia devices and all forms of software fall under the responsibility of the Town's IS&S department. However, OPL remains the owner of any and all information accessed and produced and all technology resources when used on or with Town provided networks. Voicemail, pictures, videos and e-mail messages are considered a matter of public record under MFIPPA and will be saved, stored and accessed where and when needed or requested. Where devices, such as portable computers, are the property of the user, appropriate use expectations apply when such devices are used to access information technology resources, for example the internet.

Every employee bears the primary responsibility for the material he or she chooses to access, send, or display on the internet. Devices and software may not be used in any manner to create, send, or display material that contravenes relevant policies or statutes.

Employees using the Town networks and IT resources at OPL are subject to monitoring to ensure proper working order, appropriate use by employees and the maintenance of security features.

Employees cannot post on social media sites on behalf of OPL unless they have the express permission of the Director, Community Engagement or the Director, Branch Services/Deputy CEO to do so. When posting comments on any official OPL social media site, employees are expected to speak respectfully about OPL, its customers, fellow employees, Board members, the Town, and Town employees. Employees found to be using any disrespectful, unfounded or derogatory statements regarding these parties on any of OPL's social media sites will be subject to disciplinary action, up to and including termination of employment.

Employees are discouraged from posting employment references (as employees of OPL) for former employees on social media sites, however if they choose to post an employment reference they must clarify that the comments posted are theirs alone and are not endorsed by OPL.

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19. HIRING FAMILY MEMBERS

Family members are prohibited from working together if this places them either in a subordinate or supervisory role to each other.

A supervisory relationship can exist even though there are levels of supervision in between two employees who are relatives.

Candidates for employment and/or hiring supervisors/managers are expected to declare any family relationship prior to attending an interview.

Current employees must inform their supervisor/manager or the Manager, Human Resources when a family relationship develops that may result in a supervisory relationship as defined above.

20. FREEDOM FROM REPRISAL

All individuals will be protected from reprisal, harassment or other discriminatory practices as a result of exercising their obligation to report a breach or suspected breach under any section of this Code when this is done in good faith.

21. HOW TO REPORT VIOLATIONS OF THE CODE AND/OR REPRISAL

If an employee wishes to make a written complaint, without revealing his/her identity, then OPL's Whistleblower Policy must be followed.

Where a violation or a suspected violation of this Code occurs, a complaint may be made in writing to the Manager, Human Resources, the CEO, or his/her designate, or in the case of a complaint against the CEO, to the OPL Board Chair. When such concerns are brought forward, the issue(s) will be treated seriously and held in confidence and an investigation will commence within 10 business days from the date the concern has been raised.

It must be clearly understood that allegations made in bad faith will not be tolerated and if the initiator of such allegations is identified, appropriate disciplinary action will be taken.

22. COMMUNICATION AND ENFORCEMENT OF THE CODE

All OPL employees will be provided with a copy of the Code and will be asked to sign an acknowledgement form agreeing to all of its terms. If the Code is revised, employees will be given a copy of the revised Code and asked to sign a new acknowledgment form. Following each employee's annual performance review they will be asked to review the Code and sign a new acknowledgment form.

If an employee is aware of any non-compliance of the Code by an OPL employee, the employee must report the non-compliance to their supervisor/manager immediately. If the employee is not comfortable reporting the non-compliance to his/her supervisor/manager then alternately he/she can report it to the Manager, Human Resources. If neither option is acceptable to the employee, he/she is encouraged to refer to OPL's Whistleblower Policy and report the non-compliance. Any employee that is found to have reported a breach of the Code in bad faith will be subject to disciplinary action, up to and including termination of employment.

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Supervisors, Managers, Directors, and the CEO or any employee officially acting for any one or more of these offices have a direct and important role in overseeing adherence to the Code by employees.

The Board, will review the Code on a regular basis at least once in each four (4) year term to ensure that it continues to reflect the needs and responsibilities of the Oakville Public Library.

23. NON COMPLIANCE

Any employee found to be in violation of the Code may be subject to disciplinary action, up to and including termination of employment in accordance with OPL's Progressive Discipline Policy.

24. REVISIONS

The OPL Board may, at its discretion and through a resolution of the Board, augment or amend the Code.

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APPENDIX A: DEFINITIONS

Confidential Information: Includes information of any customer, supplier or business working with or for the OPL Board and/or Town; items under litigation, personal matters, including Personal Information; items under negotiation; information supplied in support of a license or other applications etc., where such information is not part of the public domain; and information designated as confidential by the Board. Confidential information also includes the meaning of “confidential” and “confidential item” as found in the current [Consider – “OPL”] By-Law.

Employee(s): Includes an individual employed by OPL as a part-time, full-time, contract or on-call basis, and volunteers, excluding Board members, for the purpose of this Code.

Family Member: Includes a spouse (any person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage), parent (including step-parent and legal guardian), child (including step-child), sibling and children of siblings, father/mother-in-law, brother/sister-in-law, son/daughter-in-law and any family member who lives with the employee on a permanent basis.

Other Employment: Other employment means working for another employer, being self-employed, or working for charitable or volunteer organizations which results in receiving or being eligible to receive profit, payment of compensation or other benefit from that employer or charity.

Personal Information: As defined in s. 2(1) of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56, (MFIPPA), is recorded information about an identifiable individual, and includes,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual,
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved,
- (c) any identifying number, symbol or other particular assigned to the individual,
- (d) the address, telephone number, fingerprints or blood type of the individual,
- (e) the personal opinions or views of the individual except if they relate to another individual,
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence,
- (g) the views or opinions of another individual about the individual, and
- (h) the individual’s name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

SUPERVISORY RELATIONSHIP:

A supervisory relationship is an employment relationship where one family member has **direct or indirect authority** over a relative's employment through decisions, recommendations or judgments related or influence to: the approval/denial of increments/performance pay

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- the assignment and approval of overtime
- the negotiation of salary level
- the conduct of performance appraisals discipline
- the assignment or direction of work assignments
- the approval of leaves of absence

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