
CANADA
PROVINCE OF QUÉBEC
MRC VALLÉE-DE-LA-GATINEAU
MUNICIPALITY OF KAZABAZUA

BY-LAW NUMBER 2022-042

CODE OF ETHICS AND PROFESSIONAL CONDUCT OF MUNICIPAL EMPLOYEES

Whereas the Act to amend the Act respecting elections and referendums in municipalities, the Act respecting ethics and professional conduct in municipal matters and various legislative provisions (Bill 49), assented to on November 5, 2021, provides for amendments to the Act respecting ethics and professional conduct in municipal matters to be incorporated into the Code of Ethics and Professional Conduct of the municipality;

Whereas the formalities prescribed in the Act have been met

Whereas a notice of motion has been previously given, pursuant to the Act, at the ordinary meeting held on March 1st, 2022 that a read request for exemption was requested and that each of the council members present acknowledges having received copy of the draft By-Law and declares to have read and waives its reading;

It is proposed by Damien Lafrenière, **Seconded** by Matthew Orlando and resolved

To adopt the following code of ethics and professional conduct:

ARTICLE 1 : TITLE

The title of the present code is : Code of Ethics and professional conduct of Municipal employees of the Municipality of Kazabazua

ARTICLE 2 : APPLICATION OF THE CODE

The present code applies to all employees of the Municipality of Kazabazua.

ARTICLE 3 : OBJECTIVES OF THE CODE

The present code pursues the following goals :

- 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.

ARTICLE 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 and civility towards other employees, elected officials of the municipality and citizens

Every employee promotes respect and civility in human relations. He or she is entitled to them and acts with respect and civility towards all persons with whom he or she deals in the course of his or her 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

Every employee shall safeguard the honour attached to his or her duties, which presupposes the consistent practice of the five preceding values: integrity, prudence, respect and civility, loyalty and fairness.

ARTICLE 5 : RULES OF CONDUCT

5.1 Application

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

5.2 Obligations following the end of employment

Within twelve months of the end of his employment, the following persons are prohibited:

1° the director general and the assistant director general;

2° the clerk-treasurer and the assistant;

3° the treasurer and the assistant;

4° the clerk and the assistant;

5° all employees designated by the municipal council;

Within twelve (12) months of the end of employment to hold a position of director or officer of a corporation, employment or any other function, in such a way that he or she or any other person derives an undue advantage from his or her previous duties as an employee of the municipality.

5.3 Objectives

These rules aim, in particular, to prevent:

1. all 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.

5.4 Conflicts of interest

5.4.1 It is forbidden for any employees to act, attempt to act or omit to act in such a way as to further, in the performance of his or her duties, his or her personal interests or, in an abusive manner, those of any other person.

5.4.2 It is forbidden for any employees to use his or her position to influence or attempt to influence the decision of another person in such a way as to further his or her personal interests or, in an abusive manner, those of any other person.

5.4.3 It is forbidden for any employee to solicit, arouse, accept or receive, for himself or for another person, any advantage whatsoever in exchange for a position.

5.4.4 It is forbidden for any employees to accept any gift, hospitality or other benefit, however valuable, offered by a supplier of goods or services or that may influence his or her independence of judgment in the performance of his or her duties or that may compromise his or her integrity.

5.4.5 Every gift, mark of hospitality or other benefit received by an employee that is not of a purely private nature or referred to in section 5.4.4 must, where its value exceeds \$200, be the subject, within thirty days of its receipt, of a written declaration by the employee to the clerk-treasurer of the municipality. This declaration must contain an adequate description of the gift, hospitality or benefit received, and specify the name of the donor and the date and circumstances of its receipt.

5.5 Use of municipal resources

No employee shall use the resources of the municipality for personal purposes or for purposes other than activities related to the performance of his or her duties, subject to a specific policy governing such use. La présente interdiction ne s'applique pas lorsqu'une

employée ou un employé utilise, à des conditions non préférentielles, une ressource mise à la disposition des citoyennes et citoyens.

5.6 Use or communication of confidential information

The employee must not make use of confidential information obtained in the performance or in the course of his or her work. These obligations survive for a reasonable period of time after termination of employment, and survive at all times when the information relates to the reputation and privacy of others.

5.7 Breach of trust and embezzlement

No employee shall misappropriate property belonging to the municipality for his or her own use or to the use of a third party.

5.8 Financing policy and public announcement

No employee shall make an announcement, at a political fundraising event, of the completion of a project, the conclusion of a contract or the granting of a subsidy by the municipality, unless an final decision on the project, contract or subsidy has already been made by the competent authority of the municipality.

ARTICLE 6: PREVENTION MECHANISM

An employee who believes that he or she is placed, directly or indirectly, in a situation of real, potential or apparent conflict of interest, or who is likely to otherwise contravene this Code of Ethics and Professional Conduct, must notify his or her supervisor or immediate superior. Dans le cas de la directrice générale ou du directeur général, elle ou il doit en aviser la mairesse ou le maire.

ARTICLE 7: BREACH AND DISCIPLINARY MEASURES

A breach of a rule provided for in this Code of Ethics and Professional Conduct by an employee may result, by decision of the municipality and in compliance with any contract of employment, in the application of any sanction appropriate to the nature and seriousness of the breach.

Any complaint from citizens under this Code must:

1. be filed confidentially with the Director General, who will, if necessary, determine whether there has been a contravention of the Code of Ethics and Conduct;
2. be complete, be written, motivated and accompanied, if applicable, by any supporting document, and come from any person who is aware of a breach of this Code of Ethics and Conduct.

With respect to the Director General and Clerk-Treasurer, any complaint must be filed with the Mayor of the Municipality.

No penalty may be imposed on an employee without the employee:

1. has been informed of the reproach addressed to him;
2. had the opportunity to be heard.

ARTICLE 8: OTHER CODE OF ETHICS AND PROFESSIONAL CONDUCT

This Code shall not be construed as restricting the obligations imposed on a municipal employee by law, by-law, code of professional ethics, contract of employment including a collective agreement, municipal policy or directive.

ARTICLE 9: REPLACEMENT

This By-law replaces By-law No. 2018-017

ARTICLE 10: ENTRY INTO FORCE

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

Robert Bergeron
Mayor



Pierre Vaillancourt,
Director general / clerk-treasurer

Notice of motion given March 1st, 2022
Project By-Law presented and deposited March 1st, 2022
Employee's consultation March 22, 2022
Public notice given March 2, 2022
By-Law adopted April 5th, 2022
Publication of the notice of promulgation April 6th, 2022
Resolution number 2022-04-083