Minutes – Executive Policy Committee – July 9, 2019

REPORTS

Item No. 5 City of Winnipeg Employee Code of Conduct and Conflict of Interest

EXECUTIVE POLICY COMMITTEE DECISION

The Executive Policy Committee rescinded its recommendation of July 2, 2019, to refer the matter to the Governance Committee of Council.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

The Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and recommended to Council:

1. That the updated City's Employee Code of Conduct, attached as Appendix A, and the Conflict of Interest policy, attached as Appendix B, be approved.

2. That the previous Employee Code of Conduct approved by Council on March 21, 2001, be rescinded.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

DECISION MAKING HISTORY:

Moved by Councillor Orlikow,

That the recommendation of the Executive Policy Committee on July 2, 2019, to refer the matter to the Governance Committee of Council, be rescinded.

Carried

Moved by Councillor Orlikow,

That the recommendation of the Winnipeg Public Service be concurred in and forwarded to Council.

Carried

Councillor Eadie, Mynarski Ward, submitted a communication dated July 9, 2019, with respect to the matter.

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 2, 2019, the Executive Policy Committee referred the matter to the Governance Committee of Council.

ADMINISTRATIVE REPORT

Title: City of Winnipeg Employee Code of Conduct & Conflict of Interest

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
A. Cusson	A. Cusson	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The Audit of *Procurement for the Pedestrian and Cycling Strategies Report and Review of the Employee Code of Conduct* outlined key revisions required to the City's Code of Conduct.

The report concluded that although the current code, approved by Council on March 21, 2001, has several strengths, it fails to include key elements for codes based on a comparison of other Canadian cities' codes of conduct. These elements include writing in plain language to be more reader friendly to employees of all educational and cultural backgrounds, providing a definition of conflict of interest for the benefit of those who may not be familiar with the meaning of the term, incorporating the City's corporate values, and providing references to the Public Service's other ethical standards that support the principles in the code.

To highlight the importance and significance of accountability, transparency and ethics in the City of Winnipeg, an updated Code of Conduct has been prepared, as well as a separate Conflict of Interest policy.

RECOMMENDATIONS

1. That the updated City's Employee Code of Conduct, attached as Appendix A, and the Conflict of Interest policy, attached as Appendix B, be approved.

2. That the previous Employee Code of Conduct approved by Council on March 21, 2001, be rescinded.

3. That the proper officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The City of Winnipeg Charter states *Council must establish a code of conduct for employees that includes conflict of interest rules* (Section 89.1(1)).

IMPLICATIONS OF THE RECOMMENDATIONS

Implementing an amended Code of Conduct and a companion Conflict of Interest policy will further support the City of Winnipeg's essential core values and compliments the process by strengthening the ethical environment and framework in which we work.

HISTORY/DISCUSSION

The existing City of Winnipeg Employee Code of Conduct was adopted by Council on March 21, 2001 and has not been updated since.

The *Audit of Procurement for the Pedestrian and Cycling Strategies and Review of the Employee Code of Conduct* concluded there were deficiencies in the current Code and enhancements were required.

A motion was made in the July 15, 2015 Council meeting that:

- "The City Auditor provide recommendations to City Council in the event that they find that there is a need to update and modernize the City of Winnipeg Code of Conduct."

On July 19, 2017 City Council adopted the recommendations presented by the Auditor. To highlight the importance and significance of accountability, transparency and ethics in the City of Winnipeg, the Conflict of Interest policy was established as a stand-alone document, but closely connected to the Code, as required by the Charter.

The audit identified the following opportunities to update and improve the Code:

- Defining conflict of interest in the code.
- Redrafting the code using plain language to make the code more reader friendly.
- Providing references to the City's other ethics policies, directives, and administrative standards.
- Providing examples of both acceptable and unacceptable behavior to facilitate better understanding of the concepts.

Revisions to the current Code, including a definition of "conflict of interest", which were outlined in the audit report, have been incorporated in the amended Code.

The new Code of Conduct and Conflict of Interest policy will be implemented pending Council's approval to the recommendations, and will outline the rules by which all Public Servants must abide. Violation of the Conflict of Interest Policy constitutes a violation of the Code.

FINANCIAL IMPACT

Financial Impact Statement

Date: May 17, 2019

Project Name:
City of Winnipeg Employee Code of Conduct & Conflict of Interest

COMMENTS:

There is no financial impact associated with the report recommendations.

original signed by
Tanis Yanchishyn
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

This Report has been prepared in consultation with:

Legal Services (as to legal issues)

OURWINNIPEG POLICY ALIGNMENT

*As outlined in Section 01-3:Prosperity, OurWinnipeg states that we p*rovide integrated, streamlined, seamless and transparent government service.

Further supporting the essential core values of the City of Winnipeg, the Code of Conduct strengthens the ethical environment and framework in which we work.

SUBMITTED BY

Department: Human Resource Services
Prepared by: Angie Cusson, Director, Human Resource Services
Date: June 6, 2019

Attachments:

Code of Conduct Policy

Conflict of Interest Policy