

General Policies

CODE OF CONDUCT

CODE OF CONDUCT AND DECLARATION

2013-03-31

EMPLOYEE NAME: _____

LOCATION: _____

NOTE

The information contained in this document is highly private and confidential. Copies should be filed in a sealed envelope in the employee's personnel file and with the employee themselves. Access to this information is restricted to the employee, the employee's immediate supervisor, the employee's Director, the Chief Executive Officer (CEO) and Human Resources (HR). The CEO declaration is restricted to members of the Executive Committee of the Authority.

Thanks
Human Resources Department

www.trca.on.ca
www.trca.on.ca

Revised - November 2006
Revised – March 2013

1.0 Introduction

Toronto and Region Conservation Authority (TRCA) and its employees embrace the highest standards in integrity and ethical conduct with a commitment to a compassionate and caring working environment. This policy is a re-affirmation of that commitment to an ethical workplace through the consolidation of previous written and unwritten guidelines for all employees.

Toronto and Region Conservation Authority's Code of Conduct is a commitment to ourselves, a condition of employment and part of our fundamental culture. All employees must read, understand and comply with this policy. Any issues or concerns about the code of conduct that an employee might have should be discussed immediately with their immediate supervisor, HR or the Chief Executive Officer.

The Code of Conduct must be reviewed at least on an annual basis with each employee and their immediate supervisor. As conditions and situations change, the Code of Conduct may be modified to reflect the new policies and procedures.

The Code of Conduct is our employees' commitment to creating a positive, respectful and productive working environment. What we expect from our employees must be viewed from four essential perspectives.

- A. Supporting and actualizing the TRCA Mission.
- B. Building on the strengths of our past.
- C. Respecting and furthering the relationships with people and organizations.
- D. Meeting and exceeding commonly understood standards in employment, some that are defined in law, some that are defined in our culture.

1.1 Supporting and Actualizing the TRCA Mission

Our fundamental behavior is defined, motivated and rewarded by our support of our Mission.

"Toronto and Region Conservation Authority is a partnership organization committed to protecting, restoring and celebrating the natural environment in the Toronto region through the development and application of watershed plans, innovative environmental science and education programs."

1.2 Building on the Strengths of Our Past

Our strengths as an organization both energize and direct us. These strengths are:

- A unique watershed and natural heritage management framework designed for our city and countryside.
- Effective products that meet the needs of the many communities we serve.
- Innovative applied environmental science.
- Leadership and creativity.
- Professional experienced and dedicated staff.
- Broad partnerships with our stakeholders.
- A commitment to continuous learning.

Our Guiding Principles

1. People are part of nature. Looking after one entails taking care of both.
2. Natural systems provide fundamental and irreplaceable benefits that are vital to our health and wellbeing.
3. Systems thinking leads to the most effective solutions.
4. All residents deserve opportunities to help shape the future of their community.

1.3 Respecting and Furthering all our Relationships

At Toronto and Region Conservation, we pride ourselves in our reputation and integrity with employees, our municipal, provincial and federal government contacts, our suppliers, our clients, our communities, and our environment. To understand the extent of our commitment to these relationships, each is defined below.

Our Employees

Toronto and Region Conservation Authority believes in and actively demonstrates our commitment to equality of opportunity for employment, development and advancement of its employees. TRCA is committed to maintaining a safe, secure and nurturing working environment for its employees.

Central to this commitment to a positive working environment, TRCA provides to all its employees, many opportunities to communicate areas of concern and open, honest dialogue among various levels of management.

TRCA expects that its employees will be conscious of the TRCA's public duty, as well as their own, and conduct themselves with the same high degree of conduct on and off the job. Toronto and Region Conservation Authority seeks both to encourage all employees to realize their potential and supports the development and training of skills to meet the future needs of TRCA. All our relationships will be compliant with the safety standards of the Occupational Health and Safety Act, the respectful standards of the Human Rights Code and the Privacy Act.

Our Municipal, Provincial and Federal Government Stakeholders

TRCA is committed to the enhancement of the investment given to us by our government partners through effective and efficient use of resources and maintaining the highest adherence to our Code of Conduct.

Our Suppliers

TRCA is committed to working with its vendors and suppliers in a fair, transparent and equitable way. The Purchasing Policy is that all equipment, supplies and services are selected based on merit and that all suppliers will be treated with respect and integrity.

Our Clients

Every customer or client should expect to receive from TRCA, courteous, prompt, equitable and efficient service.

Our Communities and Our Volunteers

TRCA is committed to being an active and engaged member of the communities that we serve. Our employees will be encouraged to participate in community activities and seek the opinions of community members and volunteers for the programs and projects that we introduce. We will strive to integrate our own strategic plans with the objectives and goals of the communities that we serve.

Our Environment

Our Objectives for the Environment are:

- The nine watersheds within the Toronto region are home to over 3 million people (1/3 of Ontario's population). It is within this jurisdiction that The Living City vision will deliver watershed protection programs to achieve:

Healthy Rivers and Shorelines

To restore the integrity and health of the regions rivers and waters from the headwaters in the Oak Ridges Moraine, throughout each of the nine watersheds in TRCA's jurisdiction, to the Toronto waterfront on Lake Ontario

Regional Biodiversity and Greenspace

To protect and restore a regional system of natural areas that provide habitat for plants and animal species, improve air quality and provide opportunities for the enjoyment of nature and recreation.

Sustainable Living

To facilitate broad community understanding, dialogue and action toward integrated approaches to sustainable living and city building that improves the quality of life for residents, businesses and nature.

Business Excellence

To pursue continuous improvement in the development and delivery of all programs through creative partnerships, professional , diverse funding sources and careful auditing of outcomes and effectiveness.

2.0 The Code of Conduct - Policy Statements

Our Code of Conduct Policies are statements of our commitment as employees to TRCA. Some of these statements represent our general goals and aspirations to which we share a commitment, and which should direct all our activity; some are specific commitments to avoid negative conduct.

2.1 The Commitment to Communications

Definitions

All communications that includes: presentations, records, modalities, verbal or written reports, opinions, or discussions, telephone calls, voicemail, e-mail, internet vehicles such as social media, blogs, chat rooms, Twitter, Facebook, news articles and other forms of traditional and

electronic communications is covered by this policy.

Where employees access and/or utilize during TRCA working hours, the internet, their voicemail or other communications devices including telephones, personal communications devices, Blackberries or other devices for their personal use.

The Policy

Communications are the key component to creating a positive corporate culture of respect and high morale within a nurturing climate. TRCA is committed to effective communications with our partners. TRCA will seek the opinions of our stakeholders on our objectives and goals throughout our business planning and implementation process. TRCA will communicate regularly with our partners through general meetings, individual presentations and other documentation. These can include annual reports, business plans, grant applications and specialized or ad hoc variance and monitoring reports as well as day to day interactions using e-mail, regular mail, telephone, voicemail and internet based communication vehicles. Use of personal or illegal software or peripheral devices for personal use is prohibited.

Senior management is committed to ensuring that effective, regular and frequent communications occur throughout our team, at all levels and for the benefit of all employees. It is senior management's particular goal to ensure that supervisory staff are well informed of all TRCA issues and concerns and can act as the primary source of information to all employees. Teamwork is a key component of our culture but employees must be empowered with knowledge and be free to express their opinions for us to be truly successful. That is the communications commitment.

Employees will be permitted reasonable use of the Internet from TRCA terminals; however its use must not be abused. The use of the Internet will be much like the use of TRCA telephones for personal use. First, it must be reasonable, infrequent and for very short periods of time e.g. a few minutes at lunch. Personal use must not incur additional costs to the TRCA without previous authorization by the employee's immediate supervisor.

The use of the TRCA internet or e mail system for the access, printing or distribution of any pornographic materials, materials that would infringe the Harassment policy, materials for personal gain or avoidance of economic loss and/or for distribution of non TRCA materials to individuals in or outside of TRCA (like chain letters etc), is strictly prohibited and non-compliance can result in disciplinary action including dismissal. Check the HR Manual for further detail.

2.2 The Commitment to Excellence and Quality

The Definition

Excellence and Quality are defined as the characteristics of not what we do, but how we do it. The commitment to excellence and quality covers all aspects of day to day working life including our processes, our products and our relationships with our clients, our partners and ourselves.

The Policy

All our activities, processes and outcomes must have the following attributes.

Excellence and quality is defined by the following behavior:

- We will continuously seek better and more effective solutions.
- We will take pride in what we do and how we do it.
- We will nurture ourselves and those we work with to create a caring, fulfilling atmosphere.
- We will recognize our successes, appreciate our past and seek a better future through action.
- We will seek out the best in science and environmental practices, not only comply with environmentally friendly practices but to lead the community in adopting them.

2.3 The Commitment to Accuracy in Reporting Accounting Principles and Practices

Definitions

All accounting and finance information contained in records, reports, ledgers and databases. These can include transactions with clients and suppliers, time sheets and payroll information, expense statements, loans, banking information, grant and budget information and any other financial statements concerning TRCA are covered by this policy.

The Policy

Toronto and Region Conservation Authority's accounting financial records shall be maintained with the utmost integrity, reflecting accurately and punctually all transactions, assets and liabilities of TRCA, following generally accepted accounting principles. All business records, including expense accounts, invoices, vouchers, bills, payroll and employee records and other reports shall be prepared with care and honesty and fully disclosed. False or misleading entries in the books and records of TRCA or any unrecorded bank accounts are strictly prohibited. No secret or unrecorded cash funds or other assets will be established or maintained for any purpose. No transaction is to be concealed from management or TRCA's internal or external auditors or the Board. Satisfactory accounting and auditing procedures and controls must be maintained and full compliance with statutory requirements.

2.4 The Commitment to Accurate Travel and Related Expenses

Definition

Travel and related expenses includes all transactions, bills and expenses incurred by an employee in the course of work. Such expenses include, when authorized by their immediate supervisor or manager, the employee's attendance at conferences, meetings, courses of instruction and trips of a similar nature, will be entitled to reimbursement (See Travel and Conference Expenses Policy in the Human Resources Manual for details).

The Policy

Travel expenses will be consistent with the needs of business. Compensation or reimbursement is for actual and approved expenses incurred on TRCA business only. Supervisors who approve travel and related business expenses reports are responsible for the appropriateness of the business related expense and related expense reports. Employees are responsible for the propriety and reasonableness of expenditures, for ensuring that expense reports are submitted promptly, and that receipts and explanations properly support reported expenses.

(See the Human Resources Manual for more details on appropriate, eligible travel and related expenses).

2.5 The Commitment to Confidential Information and Intellectual Property

Definitions

Confidential or non public information on processes, patents, research, history, specialized information, market or client information, private employee information, project implementation information or expert opinion given in confidence to others or information that could influence the outcome of a decision either internal to TRCA or externally with our partners and with a reasonable expectation of confidentiality will be considered intellectual and other property.

This definition also includes TRCA's property and assets which can include internal decisions, software, hardware, lands, physical assets, buildings, good will amongst our partners and special interest groups, as well as formal and informal agreements, relationships and partnerships.

The Policy

It is every employee's responsibility to ensure that all information they communicate is as accurate and timely as possible whether it be a report, a memo or a verbal update. No employee shall willfully mislead other employees, Authority Members or the public about any issue of corporate concern. Only with proper authority can any information be released to anyone outside of the employ of Toronto and Region Conservation Authority. Any confidential information must be handled with the utmost of care in and outside of the organization and cannot be disclosed without the proper approvals and must be used in the appropriate course of an employee's duties in TRCA.

Any information which is personal information, third party information, confidential information or information that is not available to the public generally must not be used or disclosed, except in accordance with Municipal Freedom of Information and Protection of Privacy Act.

Employees shall not make use of any property of TRCA for their personal benefit, gain or enjoyment, other than property specifically provided by TRCA for such use as a benefit of employment. Employees shall only use TRCA property, equipment, supplies and services for activities associated with the discharge of their duties, unless Directors' Committee authorization has been granted.

No employee shall sell, transfer, publish, disclose, display or otherwise make available computer programs, software programs, technological innovations, or other intangible property or rights owned or used by TRCA either while in the employ of TRCA or thereafter.

All property of TRCA and any printed or computer records prepared by an employee in the course of their employment with TRCA will remain the exclusive property of TRCA (forms, day calendars etc).

Upon termination of employment, employees will turn in to their supervisor all correspondence, drawings, maps, documents and all other property belonging to TRCA which may be in the employee's possession or under his or her control. This includes property made or prepared by the employee and relating in any way to the affairs of TRCA.

All inventions, products, processes and ideas that the employee developed in the course of their employment with TRCA will be turned over TRCA.

2.6 The Commitment to Personal Integrity - Gifts and Entertainment

Definitions

Gifts and entertainment are defined as favors or gifts given by external business sources given to employees of TRCA during the course of regular business.

The Policy

Employees are expected to take action and make decisions based on an impartial and objective assessment of each situation, free from the influence of gifts and favors. The TRCA must avoid both the fact and the appearance of impropriety with the organizations or individuals with whom it deals.

Choices in suppliers must be based on competitive, external factors such as price, quality, availability, and service and be compliant with the Purchasing Policy.

Employees shall not seek or accept any gifts, entertainment, payments, fees, services, valuable privileges or other favors from any person or business organization that has any dealings with the TRCA, except as provided below:

1. An employee may accept restaurant meals usually associated with accepted business practices if, e.g.:
 - It is infrequent.
 - It serves a business purpose.
 - It is appropriate for the business responsibilities of the individuals involved.
 - It is not excessive or lavish.
 - It is identified to the appropriate Director or CEO in writing and approval provided.
2. Employees should not give or receive gifts with more than a \$25 value. In situations where the gift has been sent to an employee or department and it cannot be reasonably returned to the sender, the gift will be used for charitable purposes.
3. It is never acceptable or permissible to receive cash or cash equivalent of any amount (including stock or other marketable securities).

In the event that an employee receives a gift that cannot reasonably be returned, the employee should inform his or her manager or Director or HR. The proceeds of the gift will be used for charitable purposes.

Gifts, favors and entertainment may be given to others at TRCA expense only if they are consistent with accepted business practice, such as providing vendors with a better understanding of TRCA operations.

2.7 Commitment to Personal Integrity - Outside Business Activities

Definitions

Outside Business Activities includes investment in or participation with or employment with an external organization to TRCA including but not limited to being an advisor, an employee, or a volunteer.

The Policy

Employees may not participate in outside business or financial activities that compete with services offered by TRCA or use private TRCA information like customer contacts. Employees may participate in business activities outside of TRCA business hours that do not compete with TRCA activities but all such arrangements need to be disclosed and approved in advance by the employee's immediate supervisor. This is due to the potential for conflict of interest and that conflict could impair the employee's ability to carry out their regular duties. If such a conflict exists, the employee may be asked to transfer to a new position or to choose between continued employment at TRCA and the outside activity.

Employees participating in an outside business will not use TRCA time, resources or property for the benefit of that business. Proprietary or confidential information or data acquired through TRCA employment may not be used or disclosed in any employee's external activity. Outside employment that results in a breach of trust can and will lead to immediate dismissal or other disciplinary action.

Responsibility to avoid conflicts of interest or the perception of conflicts of interest arising from outside activities is the sole accountability of the employee and any possible situation should be discussed with the employee's immediate supervisor. It is expected that the employee will act in the best interest of TRCA at all times.

2.8 Commitment to Personal Integrity - Employee Political Activity

Definitions

Where an employee actively and visibly supports a particular political party, a special interest group or community activity espousing a belief or ideology where the activity could be considered an act of political influence on others in the community.

The Policy

Employees shall not engage in political activity (at all levels of government: municipal, regional, provincial, federal) or other special interest group activities of a political nature, during working hours or use TRCA resources (people, property or assets). Those employees who are elected officials should arrange appropriate time off for their political commitments. Those employees seeking elected office must arrange for a personal leave of absence during the campaign period. No employee may solicit support for a political party or candidate from other TRCA employees. For the CEO and Directors, there are further limitations on their active support of a particular candidate however, personal funding of a political party or candidate is allowed. See the HR Manual for further details.

2.9 The Commitment to Personal Integrity Solicitation of TRCA Employees

Definitions

Where employees distribute, influence or engage other employees in non work related activities including family, special interest groups, religious or social communities, activist or issue related groups, will be considered solicitation of TRCA employees.

The Policy

Any solicitation of employees or distribution of non work related materials of any kind to employees on TRCA premises or during working hours will require the prior approval of Directors' Committee.

2.10 The Commitment to Abide by the Law

Definitions

All federal, provincial, municipal and regional laws and statutes including but not limited by the Highway Traffic Act, the Occupational Health and Safety Act, the Human Rights Code, the Criminal Code, the Employment Standards Act etc.

The Policy

No employee shall at any time take any action which he or she knows or reasonably should know, violates any applicable law or regulation in the course of his/her work at TRCA.

All policies must be compliant with the legislation and regulations to which we are subject. Ignorance of the law is not a valid defense. If an employee has any questions about the application of a particular law or regulation, they should consult with their immediate supervisor or seek the opinion of others on their immediate management team. The Directors or HR or CEO will seek external TRCA legal counsel if the application of a particular law requires greater clarification.

It should be noted that in any circumstance where there appears to be a situation with legal or insurance claim implications, each employee should advise his/her immediate supervisor as early in the process as possible. This is particularly important where there is a chance of litigation or prosecution of TRCA or of its employees.

2.11 Commitment to Honesty

Definitions

Honesty refers to truthfulness, sincerity and morality. Dishonesty covers a range of behaviour that may include:

1. Fraud.
2. Breach of Trust.
3. False or misleading statements.
4. Theft of cash or property of the employer.
5. Falsified time sheets, personal expense statements.
6. Embezzlement, illegal commissions or kickbacks.
7. Misuse of TRCA funds or resources including use of TRCA credit cards for personal use

The Policy

Dishonesty in any form is prohibited. All employees of TRCA are required to conduct themselves honestly, and are responsible for immediately reporting any suspected cases of fraud, breach of trust and other forms of wrongdoing to their immediate supervisors or more senior management up to the CEO. For any situation of suspected fraud, HR should be informed so that an investigation can begin immediately. Appropriate protection of the confidentiality of such information will be observed. For suspected wrongdoing involving a Director, the CEO should be informed, for suspected wrongdoing involving the CEO, the Chair should be informed.

Prior to taking any action on suspicion of wrongdoing, management should seek the advice of HR, their Director and Chief Executive Officer and where appropriate, the enforcement officer responsible for security. All discussions must be treated with the utmost of confidentiality to protect the rights of the person under suspicion and assist in preventing further losses or damages to TRCA and its employees. All suspected wrongdoing will be investigated fully and all persons accused or suspected of wrongdoing will be treated fairly. All employees are required to co-operate fully with law enforcement and regulatory officials.

The results of the investigation will be presented to the CEO and where wrongdoing has been discovered, a plan of action will be undertaken. In all cases, the policies and procedures of that department will be reviewed and recommendations will be made to the Director to reduce the risk of wrongdoing in the future.

Retaliation against informants or witnesses involved in the investigation of wrongdoing is forbidden.

All wrongdoing which involves misappropriation of money or property must be reported to the Chief Financial Officer as soon as possible to permit the processing of any resultant insurance claim.

2.12 The Commitment to Avoiding Conflict of Interest

Definitions

A conflict of interest occurs when, in the course of his or her duties, an employee is called upon to deal with any matter in which he or she has a direct or indirect personal interest, whether or not the employee acts or intends to act in a way which is inconsistent with the interests of TRCA.

A direct personal interest is an interest through which the employee may derive an economic benefit or avoid an economic loss.

Also where the employee expresses a personal opinion or supports a political candidate in a public forum where it is reasonable to assume by the members of the public, that the opinion represents the position of TRCA is considered a conflict of interest. Where an employee can receive a benefit from undue influence in a decision before a government agency or community organization is also considered a conflict of interest.

An indirect personal interest arises where the potential economic benefit, or avoidance of economic loss, would be experienced by another person or corporation having a financial

relationship with the employee. This may include, but not be limited to, ownership of shares or other securities, or the loan of money or property by or to the employee.

An indirect personal interest also occurs when the potential benefit or avoidance of loss, would be experienced by a person who is a relative or spouse of the employee, or based upon the facts of the particular case, the employee could reasonably be considered to have a personal interest in the economic well-being of that other person.

The Policy

A personal interest in common with all or a substantial portion of the residents of the Region of Peel, Region of York, Region of Durham or the City of Toronto, Township of Adjala/Tosorontio and the Town of Mono by virtue of residency in the area, or a personal interest in common with all or a substantial portion of employees by reason of the terms and conditions of employment, will not be considered to create a conflict of interest.

If a conflict of interest situation arises, an employee has two immediate responsibilities:

- Each employee shall make prompt and full disclosure in accordance with these policies; and,
- The employee shall not participate in the formulation of any recommendation or decision relating to the matter.

The employee shall make prompt and full disclosure for the conflict situation in writing to the employee's Director and immediate supervisor, including a description of the conflict of interest, the identity of any persons or corporation or special interest group involved in the conflict of interest and whether it is a direct or indirect personal interest for the employee. Also needed is a description of the employee's responsibilities that would involve the employee in the conflict situation, in order that a strategy for avoiding the conflict can be implemented.

Upon receiving the disclosure of conflict of interest, the employee's Director and/or CEO in conjunction with the employee's immediate supervisor, will take immediate steps to ensure that the employee is not required to deal with any aspect of the matter giving rise to the conflict of interest.

In the event that a member of the senior management of TRCA determines that he or she is in a conflict of interest situation, the required disclosure shall be made immediately in writing to the CEO and in the case of the CEO, the disclosure will be made to the Executive Committee of the Authority.

An employee who is in a conflict situation must not participate in any recommendations or decision, or in any way attempt to influence others who have the responsibility for making such recommendations or decisions. This includes recommendations to the employee's supervisor, to Directors' Committee or to the Authority.

No employee should be disciplined or treated adversely for making prompt and full disclosure of the circumstances.

2.13 The Conflict of Interest Process

- The Responsibilities of the Immediate Supervisor

The immediate supervisor should review the TRCA Code of Conduct with every employee who reports to them, at least once a year. Upon completion of the review, both the employee and their supervisor will sign a form indicating the employees understanding of the Code of Conduct (see attachment one) and if necessary, disclosure of any situations that could or have led to a conflict of interest or breach of trust condition.

In situations where the potential conflict or breach of trust is sufficient to impair the employee's ability to perform their regularly assigned duties, the immediate supervisor must inform their Director or CEO immediately to determine the next course of action.

- **The Responsibilities of the Employee**

The employee is responsible for reading, understanding and complying with the TRCA Code of Conduct. The employee is also responsible for seeking, clarification of any misunderstandings and for promptly identifying to their immediate supervisor any potential or real concerns about conflict of interest situations. This prompt disclosure of potential conflict of interest is a fundamental element of the employment relationship between TRCA and the employee. Failure to disclose promptly could lead to immediate dismissal or other disciplinary processes.

It is also the responsibility of all employees to identify to their immediate supervisor or Director, any possible situation that they know of or have observed where a conflict of interest has occurred with another employee.

In these situations, the supervisor will advise their Director of the potential conflict or breach of trust and an investigative process will be initiated

2.14 The Conflict of Interest Disclosure Process

- A description of the situation including the employee's duties and how the conflict of interest could manifest itself.
- A list of the possible people involved and the relationship with the employee in the situation described above. This should/could include family members, friends, business contacts or other related people.
- A description of the actions that the employee has taken to resolve the situation or any recommendations that the employee has to resolve the situation.
- For example, the employee has withdrawn from or transferred a particular case or situation to another employee to resolve.
- The employee's signature, the date of disclosure and the supervisor's signature.
- The immediate supervisor discusses the disclosure with his/her Director and a decision is made on the next course of action including tabling the disclosure with the CEO.
- In the case of the TRCA Directors, the disclosure will be made to the CEO. In the case of the CEO, the disclosure will be made to the Executive Committee of the Authority, using the same format and process at least once a year or where required by the situation.

2.15 Commitment to Avoiding Illegal Drugs and Alcohol Use

Definition

An employee under the influence of alcohol and or illegal drugs during working hours. If an employee is being treated for alcoholism or other substance abuse but does not take their medication, then there is evidence of willful misconduct.

The Policy

The illegal use, sale, purchase, transfer or possession of any restricted or controlled drug, narcotic or any other illegal substance while on TRCA premises or during working hours is strictly prohibited and will result in immediate dismissal or other disciplinary action.

TRCA prohibits the use, sale, purchase, transfer or possession of opened alcoholic beverages by employees while on TRCA premises or during working hours except as authorized by TRCA.

It is never permissible for employees to attend to their responsibilities and duties under the influence of alcohol or under the influence of any illegal drug.

2.16 Commitment not to engage in Harassment

Definitions

TRCA will make every effort to provide all employees with a work environment that is free from any form of discrimination or harassment and will promote one that respects the dignity, self worth, and human rights of every individual.

Harassment may be related to race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status or disability.

In addition, TRCA is committed to providing a workplace without violence or the threat of violence which includes but not limited by, violence or threat of violence from another employee, a customer, a supplier or external business colleague, a partner, significant other or spouse of an employee.

Harassment is a misconduct that can include but not be limited to, unsolicited remarks made deliberately or repeatedly, physical assault, leering or gestures, questions, suggestions, or decisions based on prohibited grounds or discrimination. (See the Employment Practices - Harassment in the Human Resources Manual for further details).

Violence includes physical harm or threats of physical harm, domestic abuse or threat of domestic abuse, the use of equipment or weapons for the intimidation of another person. For example, the threatening use of a baseball bat.

The Policy

Every employee of TRCA is entitled to work in an environment that is free from discrimination and/or harassment and violence or threat of violence.

Every employee of TRCA shall deal with their fellow employees in a fair and equitable manner free from discrimination and/or harassment and violence or threat of violence.

Every complaint of harassment or violence or threat of violence will be treated as a serious matter and harassment or violence or threat of violence will not be tolerated. A full and fair investigation will be conducted where a complaint is made and appropriate action taken.

3.0 Breaking the Employment Relationship - Rules of Dismissal or Disciplinary Action

An employee who does not comply with the policies contained in this Code of Conduct and in other TRCA policy manuals will be subject to disciplinary action involving a range of sanctions, including, potentially, termination without notice or severance. These employment commitments are fundamental expectations of TRCA employees.

Employees may also be disciplined or dismissed for general breaches of the employment relationship which derive from the Code of Conduct, and may include the following.

3.1 Misconduct

This includes dishonesty, discreditable conduct, breaches of law and TRCA policies, including the Code of Conduct, disrespect or harassment, violence or threat of violence toward other employees, breaches of trust or conflict of interest and recklessness, where an employee endangers TRCA employees, volunteers, clients, guests or TRCA property.

3.2 Willful Neglect of Duty

This is where the employee not only fails to meet their commitment to excellence and quality, but refuses to report to work or take instructions, or performs the requirements of their job, or abandons work early without notice and permission, or is persistently and willfully tardy.

3.3 Disobedience

This is where the employee refuses to perform a direct and reasonable order or to respect the authority of his superiors. This misconduct does not include a direct order where the employee reasonably perceives that the task is unsafe and/or unlawful.

All employees and TRCA agents/consultants or contracted staff or volunteers are expected to comply with Toronto and Region Conservation Authority's Code of Conduct.

Employees are to seek clarification from their immediate supervisors about particular situations and the Code of Conduct should be reviewed frequently between an employee and their immediate supervisor.

Failure to comply with the Code of Conduct will result in immediate dismissal or other disciplinary action.

4.2 The Investigative Process

This process will be followed for any situation where there suggestion of non compliance with the TRCA Code of Conduct.

1. The Situational Analysis

HR will interview all of the parties including the complainant, the person under investigation and other related witnesses. The immediate manager of the complainant or employee under investigation may be asked to attend the interview.

The interviews are private but employees will be aware that their statements must be true and may be used in legal proceedings. Email, voice mails and notes will also be

considered if the author can be reasonably identified.

2. The Interviews

The interviews will be conducted in a private area. Employees and witnesses, including the complainant will be asked to describe the situation, the people involved, and the observed impacts and to identify any witnesses to the same or similar situation.

3. The Report

HR will compile a report of findings and a separate sheet of recommendations. The recommendations would include a general statement of findings and an action plan for the employee and management team.

4. The Recommendations

The recommendations will be reviewed by the manager, the employee and HR to define the action plan, the timing and the individuals involved and after management concurrence is obtained, the Plan of Action will be signed and implemented.

5. Counsel

Any party may have counsel present during his or her interview with the prior agreement of other participants. If either the employee or witnesses wish(es) to pursue legal action, TRCA reserves the right to have counsel present.

6. The CEO

In the case of potential noncompliance of the CEO with TRCA's Code of Conduct, HR will inform the Chair of the Authority to arrange an outside third party to lead the process.

Course of Action

The course of action may vary depending on the circumstances. In many cases, a simple discussion between the two or more employees involved can resolve a misunderstanding.

For more complex and serious issues the following are potential courses of action:

- Training in human rights or other employment related laws.
- Discussion of TRCA policies to ensure consistent application of those policies.
- A change in assignment for the employee(s) involved.
- Disciplinary acts such as suspensions or if necessary, terminations with cause.
- Follow up sessions with individuals to monitor future compliance.
- Effective Communications, diversity training, management courses, conflict resolution, team building or other specific initiatives to assist the employee and the management team to move beyond the source of conflict.

The Documentation

The recommendations will be shared with the primary people involved in the situation. The recommendations will include:

- The finding of no evidence or the finding of evidence of an employment related issue.
- The course of action.
- A letter to the employee on employment status, signed by the employee's immediate supervisor or the CEO.

The individual against whom a complaint is made of wrongdoing will receive a copy of all documentation for their own use and one copy will be placed in their TRCA personnel files. All documentation will be sealed with access restricted to HR, the Director, the CEO or TRCA legal counsel. In the case of a future incident, this information may be used in the second investigation.

5.0 The Appeal Process

Any employee who believes that their interests or opinions were not adequately represented in the Employee Disclosure documentation or process and/or the Investigative Process, may appeal directly to the CEO for reconsideration. In the case of the employees who are senior management (Directors) the appeal should be made to the CEO. In the case of the CEO, the appeal will be made to the Executive Committee of the Authority.

Any appeal can be initiated by an employee by simply sending a letter to the Executive Assistant to the CEO. The executive assistant to the CEO will make arrangements to have the employee submit a meeting item as a submission of appeal.

Indemnification Policy

Toronto and Region Conservation Authority (TRCA) undertakes and agrees to indemnify and save harmless its Members, Officers and Employees and their heirs and legal representatives, respectively, from and against all costs, charges and expenses, including all amounts paid to settle an action or satisfy any judgement, reasonably incurred by any such Member, Officer or Employee in respect of any civil, criminal or administrative action or proceeding to which any such Member, Officer or Employee is made a party by reason of being a Member, Officer or Employee of TRCA (except in respect of an action by or on behalf of the TRCA to procure a judgment in its favour) and to the extent only that such costs, charges and expenses aforesaid are not covered by insurance and if;

- (a) such Member, Officer or Employee acted honestly, in good faith with a view to the best interests of TRCA and within the scope of such Member's, Officer's or Employee's duties and responsibilities; and
- (b) in the case of a criminal or administrative action or proceeding that is enforced by a monetary penalty that such Member, Officer or Employee had reasonable grounds for believing that the conduct was lawful.

Procedures and guidelines pursuant to the Indemnification policy shall be developed to ensure audit implementation compliance.

6.0 Accountability

Procedures and guidelines pursuant to the Code of Conduct policy shall be developed to ensure audit implementation compliance.

Attachments

Form One - The Code of Conduct Agreement Form

Toronto and Region Conservation Authority Code of Conduct Review Form

I, the undersigned have reviewed, understood and agree to comply with the TRCA policies in the Code of Conduct listed therein. I am aware that I am required to identify any actual or potential conflict of interest to my immediate supervisor and to my Director as soon as I become aware of the conflict situation.

Employee Name:	Employee Signature:	Date (mm/dd/yyyy):
Supervisor Name:	Supervisor Signature:	Date (mm/dd/yyyy):

This Code of Conduct should be reviewed ever 12 months and an Employee Code of Conduct Declaration should be completed and retained in the employee's personnel file. It is the responsibility of the Supervisor to ensure that this process is completed each year.

Form Two- The TRCA Employee Conflict of Interest Disclosure Form

This form is to be completed by the employee and submitted to their immediate supervisor and their Director. All information must be up to date, truthful and accurate to the best ability of the employee. It is both the employee's and the supervisor's responsibility to develop and implement the recommendations that arise out of this disclosure. All information will be treated as private and confidential unless part of an investigative process.

[illegible]

Please identify all the individuals outside and inside of Toronto and Region Conservation Authority that are related in some way to this situation. Please identify their names, their relationship with you and the situation described

Please indicate what actions you have taken (if any) to resolve this potential or real conflict of interest. In addition, please indicate what recommendations you want to make to resolve this situation to everyone's satisfaction.

Actions taken to date

Recommendations for future

Signature of Employee		Date of Signature	
Signature of Supervisor		Date of Signature	