

Schedule A**Code of Ethics****1. STATEMENT OF PRINCIPLE**

The purpose of the Ontario Municipal Administrators' Association is to create excellence in local governance by developing and fostering professional local government management and leadership. To further this objective:

- A Chief Administrative Officer should bring a sense of social responsibility to his/her work, be a custodian of the public trust, and develop his/her ethical competence.
- A Chief Administrative Officer should model the conduct he/she wants to see in others.
- A Chief Administrative Officer should define his/her values and the behaviors that support those values through abiding by the ethical principles out below.
- A Chief Administrative Officer should engage his/her entire organization in defining his/her shared values.
- A Chief Administrative Officer should hire and promote people with strong ethical values.
- A Chief Administrative Officer should reflect and support organizational ethical values through his/her policies and practices.
- A Chief Administrative Officer should train his/her staff in ethics compliance and create opportunities for staff to discuss ethical issues and seek advice.
- A Chief Administrative Officer should seek to have an ethics code/code of conduct adopted by his/her municipality and the Chief Administrative Officer should enforce that code consistently and create a safe reporting mechanism for lapses.

1.1 ETHICAL PRINCIPLES

The following ethical principles shall govern the conduct of every member of the Ontario Municipal Administrators' Association:

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- 1.** Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
- 2.** Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
- 3.** Be dedicated to the highest ideals of honour and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
- 4.** Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- 5.** Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
- 6.** Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies and that the administration of those policies should be the responsibility of the appointed officers.
- 7.** Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
- 8.** Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
- 9.** Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
- 10.** Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
- 11.** Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.
- 12.** Seek no favor and believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

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- 13.** Not directly or indirectly solicit any gift or accept or receive any gift whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence the member or could reasonably be expected to influence the member in the performance of official duties or was intended as a reward for any official action on the member's part.

- 14.** Not disclose to others, or use to further the member's personal interest, confidential information acquired by the member in the course of the member's official duties.

- 15.** Not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction, which creates a conflict with the member's official duties.

- 16.** Not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of the member's official duties.

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- 1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.**
- 2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.**

Guideline

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities.

- 3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.**

Guidelines

Public Confidence. Members should conduct themselves so as to maintain public confidence in their profession, their local government, and in their performance of the public trust.

Impression of Influence. Members should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

Appointment Commitment. Members who accept an appointment to a position should not fail to report for that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time, but once a *bona fide* offer of a position has been accepted, that commitment should be honored. Oral acceptance of an employment offer is considered binding unless the employer makes fundamental changes in terms of employment.

Credentials. An application for employment should be complete and accurate as to all pertinent details of education, experience, and personal history. Members should recognize that both omissions and inaccuracies must be avoided.

Professional Respect. Members seeking a management position should show professional respect for persons formerly holding the position or for others who might be applying for the same position. Professional respect does not preclude honest differences of opinion; it does preclude attacking a person's motives or integrity in order to be appointed to a position.

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Reporting Ethics Violations. When becoming aware of a possible violation of the Code of Ethics, members are encouraged to report the matter to the OMAA. In reporting the matter, a member may choose to go “on record” or report the matter on a confidential basis.

Seeking Employment. A Member should not seek employment for a position having an incumbent administrator who has not resigned or been officially informed that his or her services are to be terminated.

4. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

Guideline

Length of Service. A minimum of two years generally is considered necessary in order to render a professional service to the local government. A short tenure should be the exception rather than a recurring experience. However, under special circumstances, it may be in the best interests of the local government and the member to separate in a shorter time. Examples of such circumstances would include refusal of the appointing authority to honor commitments concerning conditions of employment, a vote of no confidence in the member, or severe personal problems. It is the responsibility of an applicant for a position to ascertain conditions of employment. Inadequately determining terms of employment prior to arrival does not justify premature termination.

5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Guideline

Conflicting Roles. Members who serve multiple roles--working as both a municipal clerk or treasurer or solicitor and a Chief Administrative Officer for the same community, for example--should avoid participating in matters that create the appearance of a conflict of interest. They should disclose the potential conflict to the governing body so that other opinions may be solicited.

6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies and that the administration of those policies should be the responsibility of the appointed officers.

7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

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Guidelines

Elections of the Governing Body. Members should maintain a reputation for serving equally and impartially all members of the governing body of the local government they serve. To this end, they should not engage in active participation in the election campaign on behalf of or in opposition to candidates for the governing body.

Elections of Elected Executives. Members should not engage in the election campaign of any candidate for mayor or county reeve or regional chair.

Running for Office. Members shall not run for elected office or become involved in political activities related to running for elected office. They shall not seek political endorsements, financial contributions or engage in other campaign activities.

Elections. Members share with their fellow citizens the right and responsibility to vote and to voice their opinion on public issues. However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any municipal, school, provincial or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office.

Presentation of Issues. Members may assist the governing body in presenting issues involved in referenda.

8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.*Guidelines*

Self-Assessment. Each member should assess his or her professional skills and abilities on a periodic basis.

Professional Development. Each member should commit at least 40 hours per year to professional development activities that are based on the practices identified by the members of the OMAA, the ICMA or by universities, colleges or other organizations or firms dedicated to the professional development of chief administrative officers.

9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.**10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.**

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Guideline

Information Sharing. The member should openly share information with the governing body while diligently carrying out the member's responsibilities as set forth in the enabling legislation.

- 11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.**

Guideline

Equal Opportunity. All decisions pertaining to appointments, pay adjustments, promotions, and discipline should prohibit discrimination because of race, color, religion, sex, national origin, sexual orientation, political affiliation, disability, age, or marital status.

It should be the member's personal and professional responsibility to actively recruit and hire a diverse staff throughout his/her organizations.

- 12. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.**
- 13. Not directly or indirectly solicit any gift or accept or receive any gift whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence the member or could reasonably be expected to influence the member in the performance of official duties or was intended as a reward for any official action on the member's part.**

Guidelines

It is important that the prohibition of unsolicited gifts be limited to circumstances related to improper influence. In *de minimus* situations, such as meal checks, some modest maximum dollar value should be determined by the member as a guideline. The guideline is not intended to isolate members from normal social practices where gifts among friends, associates, and relatives are appropriate for certain occasions.

- 14. Not disclose to others, or use to further the member's personal interest, confidential information acquired by the member in the course of the member's official duties.**
- 15. Not invest or hold any investment, directly or indirectly, in any financial business, commercial or other private transaction, which creates a conflict with the member's official duties.**

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Guideline

In the case of real estate, the potential use of confidential information and knowledge to further a member's personal interest requires special consideration. This guideline recognizes that a member's official actions and decisions can be influenced if there is a conflict with personal investments. Purchases and sales which might be interpreted as speculation for quick profit ought to be avoided.

Because personal investments may prejudice or may appear to influence official actions and decisions, a member may, in concert with his/her governing body, provide for disclosure of such investments prior to accepting their position as local government administrator or prior to any official action by the governing body that may affect such investments.

Personal Relationships. A Member should disclose any personal relationship to the governing body in any instance where there could be the appearance of a conflict of interest. For example, if the manager's spouse works for a developer doing business with the local government, that fact should be disclosed.

16. Not engage in, solicit, negotiate for, or promise to accept private employment or render services for private interests or conduct a private business when such employment, service or business creates a conflict with or impairs the proper discharge of the member's official duties.

Guideline

Teaching, lecturing, writing, or consulting are typical activities that may not involve conflict of interest, or impair the proper discharge of a member's official duties. Prior notification of the appointing authority is appropriate in all cases.

Representation. A Member should not represent any outside interest before any agency, whether public or private, except with the authorization of or at the direction of the appointing authority the Member serves.

Endorsements. A Member should not endorse commercial products or services by agreeing to the use of his/her photograph, endorsement, or quotation in paid or other commercial advertisements, whether or not for compensation. A Member may, however, agree to endorse the following, provided the Member does not receive any compensation: (1) books or other publications; (2) professional development or educational services provided by nonprofit membership organizations or recognized educational institutions; (3) products and/or services in which the local government has a direct economic interest.

A Member's observations, opinions, and analyses of commercial products used or tested by local governments are appropriate and useful to the profession when included as part of professional articles and reports.