



City of Richmond

Report to Committee

To: General Purposes Committee **Date:** July 6, 2015
From: Cathryn Volkering Carlile **File:** 01-0105-00/Vol 01
 General Manager, Community Services
Re: **Council Policy Housekeeping and Policy Updates**

Staff Recommendation

1. That the Council Policies, as listed in Attachment 1 to the staff report titled "Council Policy Housekeeping and Policy Updates", dated July 6, 2015, from the General Manager, Community Services, be amended;
2. That the Council Policies, as listed in Attachment 2 to the staff report titled "Council Policy Housekeeping", dated July 6, 2015, from the General Manager, Community Services, be rescinded; and
3. That all policies, procedures and directives with out-of-date titles for positions and Divisions, Departments, or Sections be updated, as needed, to reflect the current organizational structure.

Cathryn Volkering Carlile

Cathryn Volkering Carlile
 General Manager, Community Services
 (604-276-4068)
 Att. 2

REPORT CONCURRENCE		
ROUTED TO:	CONCURRENCE	CONCURRENCE OF GENERAL MANAGER
Human Resources City Clerk Finance Division Arts, Culture & Heritage Engineering	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
REVIEWED BY STAFF REPORT / AGENDA REVIEW SUBCOMMITTEE	INITIALS: 	APPROVED BY CAO

July 6, 2015

Staff Report

Origin

In January 2012, the Chief Administrative Officer established a Senior Management Policy and Procedure Subcommittee with a mandate to monitor and review City policies and procedures, to ensure policies are not impediments to providing high quality customer service, to ensure policies and procedures are current and relevant, and that policies and procedures are consistently applied throughout the organization.

This report deals with:

1. Housekeeping amendments and changes that do not amend the fundamental Council policy philosophy;
2. Updating old policies that need to reflect changes and work practices in the organization;
3. Rescinding of policies that are redundant and/or no longer relevant; and
4. Updating out of date titles for Divisions, Department, Sections and positions referenced in the policies.

Since 2012, Council rescinded several policies that were no longer current or relevant. Staff are continuing to review and update policies to propose housekeeping updates and changes to policies and to confirm whether the remaining policies continue to be relevant.

Analysis

The City of Richmond has Council adopted policies covering various aspects of City business including:

- Administration
- Buildings Properties and Equipment
- Finance
- Health and Social Services
- Land and Land Use Planning
- Personnel
- Public Works and Related Services
- Recreation and Cultural Services
- Regulatory and Protective Services
- Single Family Lot Size

Council Policies are different from Bylaws. Council has the authority to regulate, prohibit or impose through establishing bylaws in business areas as outlined in the *Community Charter*. Council Policies express the philosophy of City Council and provide a framework for staff to carry out administrative and operational matters.

Policies distinguish between the policy-setting function of Council, and the policy implementation function of City staff (Administrative Directives). They ensure consistent operating practices on matters, which occur on a regular basis, and prevent inconsistent decision making on issues where fairness and equity are important considerations.

July 6, 2015

The table attached outlines the policies and the rationale for recommending housekeeping and updating amendments (Attachment 1), which includes a copy of the track changes of each policy as well as a copy of the proposed final version. Policies that are recommended to be rescinded are attached (Attachment 2). Each policy is also attached.

In addition, over the years, the City's department's names and position titles change such as Leisure Services is now Community Services and Director – Leisure Services is now the General Manager, Community Services. Many policies reflect old, outdated names and titles while the policy is still relevant. As a part of this omnibus report, staff recommend that all policies with out-of-date department or position names be updated with any current names for Divisions, Departments, or Sections according the City's current organizational structure.

Staff continually review policies for their relevance and effectiveness. Staff also review best practices in other cities and research gaps or policy innovations that Council may want to consider in the future.

Financial Impact

There is no financial impact.

Conclusion

The Policy and Procedure Subcommittee has reviewed polices for their relevance and effectiveness. The Subcommittee also deemed that some policies receive housekeeping amendments, updating to ensure relevance and effectiveness and that some new policies be established. Staff will continue to update policies that need change and those will come forward for Council consideration in the future. Those policies that are still relevant but have department title changes or position title changes will be all changed automatically.



Cathryn Volkering Carlile
General Manager, Community Services
(604-276-4068)

Att.1 – Recommended Policy Amendments
Att.2 – Recommended Policies to be Rescinded

cvc:cvc

Recommended Policy Amendments

Policy No.	Title	Date Adopted by Council	Explanation	Division/ Department
6800	Respectful Workplace Policy	July 8, 2008	Housekeeping edits.	Human Resources
6801	Conflict of Interest	July 28, 2008	Housekeeping edits.	Human Resources
7500	Dyke Crossing Agreements – Sand Pumping	Nov 14, 1972	To update the required securities from the applicant, along with housekeeping edits.	Engineering
8303	Minoru Chapel – Use of	Aug 22, 1983	To ensure all uses such as Opera and Filming is included as well as heritage designation.	Arts, Culture and Heritage
9016	Unauthorized Changes or Damages to City Property	Feb 26, 2001	Housekeeping edits.	Engineering



Page 1 of 4	Adopted by Council: July 8, 2008 Amended by Council:	Policy 6800
File Ref: 1500-00	RESPECTFUL WORKPLACE POLICY	

I. Purpose

To promote and maintain a workplace in which all employees and volunteers act and are treated with dignity and respect. To establish processes for addressing complaints of Bullying and Harassment and Discrimination.

II. Policy

The City of Richmond is committed to a respectful workplace, free from Discrimination, Sexual Harassment or Bullying and Harassment. The City considers workplace Discrimination, Sexual Harassment and Bullying and Harassment serious offences and will not tolerate behavior which may undermine the respect, dignity, self-esteem or productivity of any employee.

Complaints under the policy will be addressed in an impartial, timely and confidential manner where possible.

Conduct contrary to this policy will not be tolerated and may result in disciplinary action up to and including termination of employment. Off duty conduct which has an impact in the workplace may be subject to the requirements of this policy.

This Policy prohibits retaliation or reprisals against anyone who in good faith (an honest and reasonably held belief) reports violations to this policy or participates/cooperates in a complaint investigation process even if sufficient evidence is not found to substantiate the concern. Retaliation or reprisal is considered to be discriminatory and is subject to disciplinary action by the City up to and including termination of employment.

Good faith investigations under this policy are not grounds for a Bullying and Harassment complaint. Where it is determined that a person had made a complaint in bad faith or with the intent to harm another and/or has misrepresented what is going on in the workplace, then formal disciplinary action may be taken against the person. Conduct based on mistakes or misunderstandings shall not constitute malicious conduct.

III. Scope

This policy applies to all employees of the City of Richmond, including supervisors and managers.

While the policy will apply to all employees, the investigative procedures under this policy may vary as the collective agreement or contracts for service may require from time to time.

This policy applies to conduct at the workplace itself or during work-related activities or events including, but not limited to, off-site meetings or conferences, client locations,



Page 2 of 4	Adopted by Council: July 8, 2008 Amended by Council:	Policy 6800
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social situations related to work or workers' homes if there are real or implied consequences related to the workplace.

IV. Definitions

Bullying and Harassment means any inappropriate conduct or comment, including electronic, by a person towards an employee that the person knew or ought to have known, would cause that employee to be humiliated or intimidated, or any other form of unwelcome verbal or physical behaviour which by a reasonable standard would be expected to cause insecurity, discomfort, offence or humiliation to an employee or group of employees, and has the purpose or effect of interfering with an employee's work performance or creating an intimidating, hostile or offensive work environment.

However, Bullying and Harassment excludes any reasonable action taken by an employer or supervisor relating to the management and direction of employees or the place of employment.

Examples of Bullying and Harassment include, but are not limited to the following:

- words, gestures, actions or practical jokes, the natural consequence of which is to humiliate, ridicule, insult or degrade;
- spreading malicious rumours;
- threats or intimidation, including threats of violence;
- vandalizing personal belongings;
- physical assault or violence; and/or
- persistent rudeness, bullying, taunting, patronizing behaviour, or other conduct that adversely affects working conditions or work performance.

Discrimination means discrimination within the meaning of the *BC Human Rights Code* based on a person's race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex or sexual orientation, age or criminal conviction unrelated to the employment or intended employment of the person. Discrimination permitted by the *BC Human Rights Code* is not a breach of the Policy (i.e. where a Bona Fide Occupational Requirement is established, or where discrimination relates to a bona fide pension plan or group insurance plan).

Sexual Harassment means unwelcome conduct that is sexual in nature, which may detrimentally affect the work environment or lead to adverse job related consequences for the victim of the harassment.

Examples of Sexual Harassment include, but are not limited to:

- Unwelcome remarks, questions, jokes, innuendo or taunting about a person's body, sex or sexual orientation, including sexist comments or sexual invitations;
- Leering, staring or making sexual gestures;
- Display of pornographic or other sexual materials;



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- Unwanted invitation or physical contact such as touching, patting, pinching or hugging;
- Intimidation, threats or actual physical assault of a sexual nature;
- Sexual advances with actual or implied work-related consequences; or
- Inquiries or comments about a person’s sex life or sexual preference.

It is NOT disruptive and disrespectful conduct to:

- comply with professional, managerial or supervisory responsibilities to evaluate and report on the performance, conduct or competence of employees;
- express reasonable opinions freely and courteously; or
- respectfully engage in honest differences of opinion.

Complainant is an employee who believes that he or she has a complaint of conduct contrary to the policy and is bringing forward the complaint. There can be more than one complainant in a complaint.

Respondent is an individual against whom an allegation(s) of conduct contrary to the policy has been made and who is responding to the allegations made in the complaint. A respondent may be a non-employee.

Manager is the Department Head or the immediate exempt level supervisor of either the Complainant or the Respondent.

Investigator is the person assigned to investigate the complaint. The Investigator may be the Director, Human Resources or delegate or, at the Director’s discretion, an external third party.

Mediation is a voluntary process used to resolve conflict by having a neutral, trained third party help the disputing parties arrive at a mutually acceptable solution. Mediation between parties are treated as private and confidential.

Allegation is an unproven assertion or statement based on a person’s perception.

Employee includes all employees (full-time, part-time and auxiliary).

V. Expected Standards of Conduct

All employees are expected to promote and maintain a respectful work environment by adhering to the following expected standards of conduct and personally responsible behavior:

- Being courteous, polite, respectful and considerate towards others;
- Acting with honesty and integrity, abiding by and upholding all rules and regulations and assisting/encouraging others to do the same;



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- The inclusion of all people, including those with different strengths and opinions;
- Managing workplace conflicts using conflict resolution processes;
- Encouraging and supporting individuals to learn and practice personal conflict resolution and respectful workplace skills;

Each employee of the City of Richmond is responsible for conducting herself/himself within the spirit and intent of this Policy as well as contributing towards a safe, welcoming and inclusive work environment free from Bullying and Harassment, Discrimination, and Sexual Harassment.

VI. Roles and Responsibilities

Managers and Supervisors are expected to:

- ensure the principles of the policy are reflected in the execution of duties, operational policies and practices within their area of responsibility;
- regularly communicate and support this policy by ensuring all persons, under their supervision, are provided with the policy including knowledge of their rights and responsibilities; and
- take action and actively participate as needed, in the resolution and investigation of a complaint and implement remedies as required.

Employees (all persons to whom this policy applies) are expected to:

- contribute to a respectful, safe and supportive work environment that is collaborative and inclusive by modelling behavior consistent with the policy and not engaging in prohibited conduct;
- take action when they become aware of prohibited conduct because silence or failure to take action acts as a form of approval; and
- utilize the informal resolution process where appropriate.

Human Resources:

- will take a leadership role in providing training for management and employees on respectful workplace behavior;
- will give advice on this Policy, addressing and providing assistance to resolve issues of disrespectful behavior, and, or discrimination or harassment;
- will provide mediation where parties in dispute consent to meet to determine whether the dispute can be resolved in an informal and mutually satisfactory manner; and
- in some instances, may determine that an external third party mediator should be called upon to assist in achieving resolution



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Adopted by Council: July 28, 2008
Amended by Council:

POLICY 6801

File Ref: 1400-00

CONFLICT OF INTEREST

POLICY

I. PURPOSE

The purpose of this policy is to:

- (a) safeguard public interest by clearly identifying and addressing standards of employee conduct relating to actual and apparent conflicts of interest;
- (b) prevent Employees from using their employment positions for private gain;
- (c) protect Employees from inadvertently placing themselves in a Conflict of Interest position;
- (d) provide avenues for Employees to clarify and prevent potential conflicts of interest before they occur; and
- (e) protect the reputation of the City.

II. APPLICATION

This policy applies to all Employees.

This policy supplements and does not supersede or replace other policies adopted by Council or other contractual or statutory obligations.

III. POLICY

Employees are expected to perform their duties on behalf of the City faithfully, diligently, honestly and to the best of their abilities. Every employee owes a duty of loyalty and fidelity to the City. Employees must never place themselves in a position where their self-interest may conflict with this duty. Employees must avoid engaging in activities where personal interests actually or potentially conflict with the interests of the City.

Employees must not engage in any activity that results in actual or potential conflict of interest. Employees must promptly disclose to their Manager circumstances which could result in any actual or potential conflict of interest so that the matter may be fully assessed.

IV. DEFINITIONS

In this Conflict of Interest Policy:

Business Associate means any person legally linked with the Employee, including but not limited to persons linked with the Employee through business contracts, partnerships, firms, enterprises, franchises, trusts, joint ventures, finances, real estate, or other for-profit legal entities or agreements;



City Property includes, but is not limited to, City buildings and land, equipment, supplies, stores, vehicles, materials, recovered materials (salvage), technology resources, financial assets, information and work time;

City means the City of Richmond;

Conflict of Interest means a situation where an Employee has a private or personal interest sufficient to influence or to appear to influence the objective performance of his or her duties as an Employee of the City, and includes a Direct or Indirect Conflict of Interest;

Direct Conflict of Interest means a situation where an Employee derives or is seen to derive some financial or personal benefit or avoid financial or personal loss;

Employee means an individual employed by the City, including those on contract and in a volunteer capacity, but not including elected officials;

Indirect Conflict of Interest means a situation where a potential pecuniary or non-pecuniary benefit or avoidance of loss is experienced by a person or corporation related to the Employee;

Manager means a City Departmental or Divisional Manager;

Political Activity includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, or promoting a political party or cause; and

Relative means a person's husband, wife, children, wards, parents, brothers, sisters (including foster or step), parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandparents, grandchildren, guardians, domestic partner or common law spouse.

V. RESPONSIBILITIES

(a) Managers

Managers shall make this policy available to their Employees and ensure that the Employees are made fully aware of this policy. Managers shall discuss the entire policy with their Employees and highlight any of the rules that have particular relevance, given the nature of the Employee's work.

Managers are required to advise senior management of any breach of this policy. Upon receiving verbal or written disclosure or becoming aware of an actual or potential Conflict of Interest, the Manager shall determine that either no conflict exists or take reasonable steps to ensure that the matter is addressed by consulting with the appropriate Human Resources Manager. Failure to take



CONFLICT OF INTEREST

immediate action by the Manager in addressing Conflicts of Interest or silence is akin to condoning the Conflict of Interest itself and may result in a breach of this policy.

The Manager and the Human Resources Manager shall determine jointly the proper course of action, and shall ensure that the Conflict of Interest or potential Conflict of Interest situations they are resolving are documented, starting from disclosure, review and evaluation through to resolution. Such documentation shall be retained in confidence at the Human Resources ~~Division~~Department.

It is the responsibility of departmental/divisional management to ensure that each Conflict of Interest situation is investigated, and dealt with fairly and consistently.

(b) Employees

Employees are required to read, clarify and confirm their understanding, and comply with this policy.

Employees have a duty to report under this policy, and shall immediately and fully disclose in writing or verbally to their Manager if they are in a Conflict of Interest or potential Conflict of Interest.

In the case of the Chief Administrative Officer, disclosure shall be made in writing to the Council of the City.

In addition to self-disclosure, Employees are required to advise management of any potential breach of this policy by others.

VI. VIOLATION OF POLICY AND CONSEQUENCES

Violation of this policy, including failure to disclose a Conflict of Interest, may result in disciplinary and/or remedial action. The City will determine the appropriate consequence(s) for breach which may include, but are not limited to the following:

- the Employee is instructed to divest himself or herself of the outside interest;
- the Employee is instructed to cease the action resulting in the breach of the Conflict of Interest Policy;
- the Employee is subject to disciplinary action up to and including termination of employment;
- the Employee is reassigned to other duties pending further investigation;
- the City may seek to recover losses;
- commencement of civil action or, if applicable, consideration of criminal prosecution.



VII. RECOGNIZING CONFLICTS OF INTEREST

Employees must conduct themselves at all times in accordance with the highest ethical standards and in a manner which will withstand the closest scrutiny. As each situation depends on its particular facts, the following is not an exhaustive list, but rather provides examples of obvious conflicts of interest:

1. Receiving Meals, Refreshments, Entertainment or Gifts

An Employee may accept customary business hospitality, such as meals, refreshments, entertainment or gifts with full knowledge of his or her Manager, provided that:

- it is a normal exchange of hospitality;
- it is a token exchanged as part of protocol;
- it is a normal presentation made to the person for participating in public functions;
- it is not lavish or extravagant under the circumstances; and
- it is infrequent.

It is the personal responsibility of each Employee to ensure that the acceptance of such meals, refreshments, entertainment or gifts is proper and could not reasonably be construed in any way as an attempt by the offering party to secure favourable treatment.

2. Commission, Reward or Benefit

An Employee shall not accept or offer or agree to accept a commission, reward, advantage or benefit of any kind from any person dealing with the City, either on his or her own behalf or through a Relative or other person, for his or her own benefit.

3. Outside Interest

During working hours, employees are expected to devote their full time and attention to the business affairs of the City. An Employee shall not engage in any outside employment (including acting as a consultant for a third party that is undertaking projects in the City), business or undertaking that:

- conflicts with his or her duties as an Employee;
- causes the Employee to gain benefits as a result of his or her position as an Employee;
- influences or affects the carrying out of his or her duties as an Employee; or
- involves the use of City Property. An Employee's use of City Property for personal convenience or profit not associated with the official discharge of duties, may be a potential Conflict of Interest unless the property is available



CONFLICT OF INTEREST

for use by the general public generally, or the property is made available under City policy or terms of employment.

An Employee shall not represent, nor contract to, nor lobby on behalf of any private interest in dealing with the City.

A Conflict of Interest exists when:

- the Employee's ability/judgment is influenced by his or her own personal interest or the interest of third parties against the better interest of the City;
- the Employee's outside interest interferes with his or her ability to perform work for the City;
- the Employee uses City Property or work time for his or her outside interest without authorization;
- ~~the Employee's outside interest involves the performance of work requiring the inspection/approval of another Employee;~~
- ~~an Employee advances his or her own private interests by interfering or influencing the objectivity, responsibilities and/or duties of another Employee within the organization;~~
- the Employee's outside interest is directly or indirectly represented as being work representing the City;
- the Employee's outside interest involves work that is in direct competition with services offered by the City;
- the Employee gains an unfair advantage over others in the conducting of business with the City;
- the Employee's actions in his capacity of Employee affect or appear to affect the interest of the Employee's other employers or private clients in a way which enhances the personal interest of the Employee;
- The Employee receives additional compensation for performing City duties from a third party external to the City; or
- The Employee's performance of City duties is influenced by offers of future employment.

While it is not the City's desire to interfere with the non-work hours of an Employee, the City may prohibit outside employment that causes the Employee to be in a Conflict of Interest.

4. Financial Interest

An Employee who has financial interest in a City contract, sale or other business transaction or has relatives, friends or Business Associates with such interest, is required to declare the relationship in writing to his or her Manager, and shall not represent or advise the City in such transactions.



CONFLICT OF INTEREST

5. Preferential Treatment

An Employee shall not give or appear to give preferential treatment to any Relatives, friends or Business Associates or to anyone else that would advance the Employee's personal interests.

6. Confidential Information

An Employee shall not use confidential or privileged information of the City to advance his or her personal interest or the interests of others. Access to confidential information should be on a "need to know" basis i.e., confidential information is shared only with those whose job duties require that they need to know the information.

7. Post-Employment Conflict of Interest

An Employee shall not act, after he or she leaves the employ of the City, in such a manner as to take improper advantage of their previous office. Actions negatively impacting the City as a result of information gained during an Employee's former employment with the City may be pursued to the full extent of the law. Each situation will be reviewed separately.

8. Purchasing Conflict of Interest

An Employee who has a direct or indirect financial interest in a supplier doing business with the City, other than an insignificant investment in a publicly-held company, is considered to be in a Conflict of Interest and shall declare the Conflict of Interest to his or her Manager. An Employee may not be involved in the placement of City business with a company owned or controlled by an Employee or relative; the Manager must make arrangements to clearly exclude the Employee from participating or influencing the applicable purchasing decisions.

An Employee may not make a personal bid on the purchase of City Property or goods, except when these are also offered to the general public.

An Employee shall not accept discounts/rebates on personal purchases from suppliers having an existing business relationship with the City, unless it is the general practice of those suppliers to offer the same discounts/rebates to employer groups including, but not limited to, the City.

An Employee shall not purchase goods and services through the City for personal use, unless specifically allowed by Council as in the purchase of a personal computer to improve the productivity of City business activities.



CONFLICT OF INTEREST

9. Employment of Relatives

The City may employ a Relative of an existing Employee if the Relative is the best qualified candidate for the position, subject to any applicable collective agreement provisions and subject to this Policy.

It is not the intention of this Policy to unduly restrict or enhance employment opportunities with the City based on family relationships. However, the City will not employ, appoint, transfer or promote a Relative of a current employee where the action will result in the risk or real or potential conflict of interest. Such conflicts may occur where there is:

- any undue influence exercised directly or indirectly on the selection and hiring process
- direct or indirect supervisory relationship
- the ability of one family member to influence or exert financial or administrative control over another.

The determination of whether the employment of Relatives results in real conflict or that potential conflict exists will be made on a case by case basis by the appropriate Manager in consultation with the Director of Human Resources.

Candidates and Employees who are or become related to each other while employed by the City are required to advise the City of the relationship at the earliest reasonable opportunity.

10. Political Activity

An Employee shall not run for election or be nominated to run for Mayor or City Councillor without first taking a leave of absence without pay as required by Section 67 of the *Local Government Act*.

An Employee shall not run for elected office provincially or federally if a Conflict of Interest exists between running and the Employee's responsibilities to the City.

Further, an Employee shall not actively campaign for election funds or use City resources for a candidate for elected office with the City of Richmond. Further, no campaigning for any election funds may be conducted during working hours.

11. Harm to Business or Reputation:

Employees must refrain from engaging in conduct that could adversely affect the City's business or reputation. Such conduct may include but is not limited to:

- (i) publicly criticizing the City, its management or its employees; or



- (ii) engaging in criminal conduct or other conduct that could harm the City's business or reputation.

VIII. DISCLOSURE, REVIEW AND EVALUATION

Upon disclosure of a Conflict of Interest by an employee, the city will take appropriate steps to protect against any actual or potential conflict of interest. Such steps may include:

- (i) requiring the employee to refrain from involvement in any decisions made by the City regarding its dealing with the person, business or enterprise giving rise to the conflict; or
- (ii) requiring the Employee to refrain from any involvement in any dealings on behalf of the City with such person, business or enterprise; or
- (iii) requiring the Employee to dispose of his/her interest in such business or enterprise if he/she wishes to remain in the City's employ.

IX. OTHER

An Employee who knowingly makes false, frivolous or vexatious allegations about another Employee may be subject to disciplinary action including termination of his or her employment with the City.



POLICY

I. PURPOSE

The purpose of this policy is to:

- (a) safeguard public interest by clearly identifying and addressing standards of employee conduct relating to actual and apparent conflicts of interest;
- (b) prevent Employees from using their employment positions for private gain;
- (c) protect Employees from inadvertently placing themselves in a Conflict of Interest position;
- (d) provide avenues for Employees to clarify and prevent potential conflicts of interest before they occur; and
- (e) protect the reputation of the City.

II. APPLICATION

This policy applies to all Employees.

This policy supplements and does not supersede or replace other policies adopted by Council or other contractual or statutory obligations.

III. POLICY

Employees are expected to perform their duties on behalf of the City faithfully, diligently, honestly and to the best of their abilities. Every employee owes a duty of loyalty and fidelity to the City. Employees must never place themselves in a position where their self-interest may conflict with this duty. Employees must avoid engaging in activities where personal interests actually or potentially conflict with the interests of the City.

Employees must not engage in any activity that results in actual or potential conflict of interest. Employees must promptly disclose to their Manager circumstances which could result in any actual or potential conflict of interest so that the matter may be fully assessed.

IV. DEFINITIONS

In this Conflict of Interest Policy:

Business Associate means any person legally linked with the Employee, including but not limited to persons linked with the Employee through business contracts, partnerships, firms, enterprises, franchises, trusts, joint ventures, finances, real estate, or other for-profit legal entities or agreements;



City Property includes, but is not limited to, City buildings and land, equipment, supplies, stores, vehicles, materials, recovered materials (salvage), technology resources, financial assets, information and work time;

City means the City of Richmond;

Conflict of Interest means a situation where an Employee has a private or personal interest sufficient to influence or to appear to influence the objective performance of his or her duties as an Employee of the City, and includes a Direct or Indirect Conflict of Interest;

Direct Conflict of Interest means a situation where an Employee derives or is seen to derive some financial or personal benefit or avoid financial or personal loss;

Employee means an individual employed by the City, including those on contract and in a volunteer capacity, but not including elected officials;

Indirect Conflict of Interest means a situation where a potential pecuniary or non-pecuniary benefit or avoidance of loss is experienced by a person or corporation related to the Employee;

Manager means a City Departmental or Divisional Manager;

Political Activity includes, but is not limited to, being a candidate for elected office, campaigning for a candidate for elected office, fundraising for an election campaign, or promoting a political party or cause; and

Relative means a person's husband, wife, children, wards, parents, brothers, sisters (including foster or step), parents-in-law, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, grandparents, grandchildren, guardians, domestic partner or common law spouse.

V. RESPONSIBILITIES

(a) Managers

Managers shall make this policy available to their Employees and ensure that the Employees are made fully aware of this policy. Managers shall discuss the entire policy with their Employees and highlight any of the rules that have particular relevance, given the nature of the Employee's work.

Managers are required to advise senior management of any breach of this policy. Upon receiving verbal or written disclosure or becoming aware of an actual or potential Conflict of Interest, the Manager shall determine that either no conflict exists or take reasonable steps to ensure that the matter is addressed by consulting with the appropriate Human Resources Manager. Failure to take



immediate action by the Manager in addressing Conflicts of Interest or silence is akin to condoning the Conflict of Interest itself and may result in a breach of this policy.

The Manager and the Human Resources Manager shall determine jointly the proper course of action, and shall ensure that the Conflict of Interest or potential Conflict of Interest situations they are resolving are documented, starting from disclosure, review and evaluation through to resolution. Such documentation shall be retained in confidence at the Human Resources Department.

It is the responsibility of departmental/divisional management to ensure that each Conflict of Interest situation is investigated, and dealt with fairly and consistently.

(b) Employees

Employees are required to read, clarify and confirm their understanding, and comply with this policy.

Employees have a duty to report under this policy, and shall immediately and fully disclose in writing or verbally to their Manager if they are in a Conflict of Interest or potential Conflict of Interest.

In the case of the Chief Administrative Officer, disclosure shall be made in writing to the Council of the City.

In addition to self-disclosure, Employees are required to advise management of any potential breach of this policy by others.

VI. VIOLATION OF POLICY AND CONSEQUENCES

Violation of this policy, including failure to disclose a Conflict of Interest, may result in disciplinary and/or remedial action. The City will determine the appropriate consequence(s) for breach which may include, but are not limited to the following:

- the Employee is instructed to divest himself or herself of the outside interest;
- the Employee is instructed to cease the action resulting in the breach of the Conflict of Interest Policy;
- the Employee is subject to disciplinary action up to and including termination of employment;
- the Employee is reassigned to other duties pending further investigation;
- the City may seek to recover losses;
- commencement of civil action or, if applicable, consideration of criminal prosecution.



VII. RECOGNIZING CONFLICTS OF INTEREST

Employees must conduct themselves at all times in accordance with the highest ethical standards and in a manner which will withstand the closest scrutiny. As each situation depends on its particular facts, the following is not an exhaustive list, but rather provides examples of obvious conflicts of interest:

1. Receiving Meals, Refreshments, Entertainment or Gifts

An Employee may accept customary business hospitality, such as meals, refreshments, entertainment or gifts with full knowledge of his or her Manager, provided that:

- it is a normal exchange of hospitality;
- it is a token exchanged as part of protocol;
- it is a normal presentation made to the person for participating in public functions;
- it is not lavish or extravagant under the circumstances; and
- it is infrequent.

It is the personal responsibility of each Employee to ensure that the acceptance of such meals, refreshments, entertainment or gifts is proper and could not reasonably be construed in any way as an attempt by the offering party to secure favourable treatment.

2. Commission, Reward or Benefit

An Employee shall not accept or offer or agree to accept a commission, reward, advantage or benefit of any kind from any person dealing with the City, either on his or her own behalf or through a Relative or other person, for his or her own benefit.

3. Outside Interest

During working hours, employees are expected to devote their full time and attention to the business affairs of the City. An Employee shall not engage in any outside employment (including acting as a consultant for a third party that is undertaking projects in the City), business or undertaking that:

- conflicts with his or her duties as an Employee;
- causes the Employee to gain benefits as a result of his or her position as an Employee;
- influences or affects the carrying out of his or her duties as an Employee; or
- involves the use of City Property. An Employee's use of City Property for personal convenience or profit not associated with the official discharge of duties, may be a potential conflict of interest unless the property is available



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Adopted by Council: July 28, 2008
Amended by Council:

POLICY 6801

File Ref: 1400-00

CONFLICT OF INTEREST

for use by the general public generally, or the property is made available under City policy or terms of employment.

An Employee shall not represent, nor contract to, nor lobby on behalf of any private interest in dealing with the City.

A Conflict of Interest exists when:

- the Employee's ability/judgment is influenced by his or her own personal interest or the interest of third parties against the better interest of the City;
- the Employee's outside interest interferes with his or her ability to perform work for the City;
- the Employee uses City Property or work time for his or her outside interest without authorization;
- an Employee advances his or her own private interests by interfering or influencing the objectivity, responsibilities and/or duties of another Employee within the organization; the Employee's outside interest is directly or indirectly represented as being work representing the City;
- the Employee's outside interest involves work that is in direct competition with services offered by the City;
- the Employee gains an unfair advantage over others in the conducting of business with the City;
- the Employee's actions in his capacity of Employee affect or appear to affect the interest of the Employee's other employers or private clients in a way which enhances the personal interest of the Employee;
- The Employee receives additional compensation for performing City duties from a third party external to the City; or
- The Employee's performance of City duties is influenced by offers of future employment.

While it is not the City's desire to interfere with the non-work hours of an Employee, the City may prohibit outside employment that causes the Employee to be in a Conflict of Interest.

4. Financial Interest

An Employee who has financial interest in a City contract, sale or other business transaction or has relatives, friends or Business Associates with such interest, is required to declare the relationship in writing to his or her Manager, and shall not represent or advise the City in such transactions.

5. Preferential Treatment

An Employee shall not give or appear to give preferential treatment to any Relatives, friends or Business Associates or to anyone else that would advance the Employee's personal interests.



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Adopted by Council: July 28, 2008
Amended by Council:

POLICY 6801

File Ref: 1400-00

CONFLICT OF INTEREST

6. Confidential Information

An Employee shall not use confidential or privileged information of the City to advance his or her personal interest or the interests of others. Access to confidential information should be on a "need to know" basis i.e., confidential information is shared only with those whose job duties require that they need to know the information.

7. Post-Employment Conflict of Interest

An Employee shall not act, after he or she leaves the employ of the City, in such a manner as to take improper advantage of their previous office. Actions negatively impacting the City as a result of information gained during an Employee's former employment with the City may be pursued to the full extent of the law. Each situation will be reviewed separately.

8. Purchasing Conflict of Interest

An Employee who has a direct or indirect financial interest in a supplier doing business with the City, other than an insignificant investment in a publicly-held company, is considered to be in a Conflict of Interest and shall declare the Conflict of Interest to his or her Manager. An Employee may not be involved in the placement of City business with a company owned or controlled by an Employee or relative; the Manager must make arrangements to clearly exclude the Employee from participating or influencing the applicable purchasing decisions.

An Employee may not make a personal bid on the purchase of City Property or goods, except when these are also offered to the general public.

An Employee shall not accept discounts/rebates on personal purchases from suppliers having an existing business relationship with the City, unless it is the general practice of those suppliers to offer the same discounts/rebates to employer groups including, but not limited to, the City.

An Employee shall not purchase goods and services through the City for personal use, unless specifically allowed by Council as in the purchase of a personal computer to improve the productivity of City business activities.

9. Employment of Relatives

The City may employ a Relative of an existing Employee if the Relative is the best qualified candidate for the position, subject to any applicable collective agreement provisions and subject to this Policy.



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Adopted by Council: July 28, 2008
Amended by Council:

POLICY 6801

File Ref: 1400-00

CONFLICT OF INTEREST

It is not the intention of this Policy to unduly restrict or enhance employment opportunities with the City based on family relationships. However, the City will not employ, appoint, transfer or promote a Relative of a current employee where the action will result in the risk or real or potential conflict of interest. Such conflicts may occur where there is:

- any undue influence exercised directly or indirectly on the selection and hiring process
- direct or indirect supervisory relationship
- the ability of one family member to influence or exert financial or administrative control over another.

The determination of whether the employment of Relatives results in real conflict or that potential conflict exists will be made on a case by case basis by the appropriate Manager in consultation with the Director of Human Resources.

Candidates and Employees who are or become related to each other while employed by the City are required to advise the City of the relationship at the earliest reasonable opportunity.

10. Political Activity

An Employee shall not run for election or be nominated to run for Mayor or City Councillor without first taking a leave of absence without pay as required by Section 67 of the *Local Government Act*.

An Employee shall not run for elected office provincially or federally if a Conflict of Interest exists between running and the Employee's responsibilities to the City.

Further, an Employee shall not actively campaign for election funds or use City resources for a candidate for elected office with the City of Richmond. Further, no campaigning for any election funds may be conducted during working hours.

11. Harm to Business or Reputation:

Employees must refrain from engaging in conduct that could adversely affect the City's business or reputation. Such conduct may include but is not limited to:

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VIII. DISCLOSURE, REVIEW AND EVALUATION

Upon disclosure of a Conflict of Interest by an employee, the city will take appropriate steps to protect against any actual or potential conflict of interest. Such steps may include:

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- (ii) requiring the Employee to refrain from any involvement in any dealings on behalf of the City with such person, business or enterprise; or
- (iii) requiring the Employee to dispose of his/her interest in such business or enterprise if he/she wishes to remain in the City's employ.

IX. OTHER

An Employee who knowingly makes false, frivolous or vexatious allegations about another Employee may be subject to disciplinary action including termination of his or her employment with the City.



City of Richmond

Policy Manual

Page 1 of 1	Adopted by Council: Nov. 14/72	POLICY 7500
File Ref: 1000-00	DIYKE CROSSING AGREEMENTS – SAND PUMPING	

POLICY 7500:

It is Council policy that:

1. Whenever applications are received to pump sand onto private lands, the applicant is required to provide details of a method of returning the run-off water to the river by means other than the use of City drainage facilities.
2. All applications shall be reviewed by the Engineering Department for the conditions of an agreement. The ~~City Engineer~~ General Manager, Engineering and Public Works or designate shall estimate the potential cost of restoring dykes and infrastructure affected by the application. The applicant will be required to deposit this refundable cost with the City; \$25,000 is the minimum amount. The applicant must provide public liability and property damage insurance for not less than \$15 million, naming the City as an additional insured.
3. The applicant, should his request be approved, shall deposit with the City a certified cheque or a letter of credit in the amount of the estimate prior to issuance of an agreement to ensure compliance with the provisions of the agreement.

The Mayor and City Clerk are authorized to sign such agreements after approval has been granted by the ~~City Engineer~~ General Manager, Engineering and Public Works subject to the damage deposit and other required documents having been received.

(Engineering Department)



POLICY 7500:

It is Council policy that:

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2. All applications shall be reviewed by the Engineering Department for the conditions of an agreement. The General Manager, Engineering and Public Works or designate shall estimate the potential cost of restoring dikes and infrastructure affected by the application. The applicant will be required to deposit this refundable cost with the City; \$5,000 is the minimum amount. The applicant must provide public liability and property damage insurance for not less than \$5 million, naming the City as an additional insured.
3. The applicant, should his request be approved, shall deposit with the City a certified cheque or a letter of credit in the amount of the estimate prior to issuance of an agreement to ensure compliance with the provisions of the agreement.

The Mayor and City Clerk are authorized to sign such agreements after approval has been granted by the General Manager, Engineering and Public Works subject to the damage deposit and other required documents having been received.

(Engineering Department)



Page 1 of 1

Adopted by Council: June/68

Amended: Aug. 22/83

POLICY 8303

File Ref: 7125-00

MINORU CHAPEL —USE OF**POLICY 8303:**

Minoru Chapel was Richmond's first heritage project, undertaken to mark Canada's Centennial. It was originally built as the Richmond Methodist Mission Church in 1891 as part of a cluster of associated church buildings at the corner of River and Cambie Roads. Purchased by the City in 1961 and moved to Minoru Park in 1967, the building was then restored and consecrated as Minoru Chapel in 1968. The Chapel was designated a Municipal Heritage Site (By-Law 3738) in 1979. ~~The province designated Both the Chapel and Pierrefonds Gardens that same year (Jane, what was the designation?).~~ were included on the Community Heritage Register, BC and Canadian Heritage Registers in 2003 (R03/10-25 and 26)

It is Council policy that:

1. Preservation – The City will preserve Minoru Chapel, Richmond's oldest extant church building as close to its original condition as possible for future generations. Elements to be preserved are its: historic use as a community gathering space, L-shaped plan, square corner entry tower, wood frame construction, Carpenter Gothic style, wooden sash windows and interior features as outlined in detail in the Minoru Chapel Conservation Plan, December 2013.
2. Use – Minoru Chapel will serve as a memorial to the first waves of European immigration into Richmond and to serve ~~current multi-cultural community as an inter-denominational facility.~~
 - a. The Chapel will be used for weddings, funerals, baptisms, other services of a spiritual nature, and for cultural programming.
 - b. The Chapel will be made available for filming and photography activities if those activities do not risk the buildings preservation.
 - c. ~~Multiple bookings by one group or individual will~~may not be permitted. A multiple booking is defined as monthly or more frequent booking by the same group or individual.
3. Sale of Commercial Items - The display and sale of commercial items will be permitted in Minoru Chapel if items are related to and part of an approved use.

It is Council policy that:

- ~~1. — Minoru Chapel is to be made available to all denominations for weddings, baptisms, funerals and other services of a spiritual nature.~~
- ~~2. — For weddings only, civil services by all Marriage Commissioners will be permitted.~~
- ~~3. — In order to preserve the sanctity and tradition of the Church, it is not to be used as a meeting hall for temporal affairs.~~
- ~~4. — Multiple bookings by one church or individual should not be permitted at Minoru Chapel, and a multiple booking is defined as monthly or more frequent booking to same group or individual.~~(Community Services Division)



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(Community Services Division)



City of Richmond

Policy Manual

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Adopted by Council: **Feb.26,2004**

POLICY 9016

File Ref: 2270-00

UNAUTHORIZED CHANGES OR DAMAGES TO CITY PROPERTY

POLICY 9016:

It is Council Policy that:

1. Where an unauthorized change or damage to City property which is an apparent threat to public safety or property comes to the attention of staff, the City will take immediate action to have the City property restored and invoice the responsible party in accordance with the fees bylaw.
2. Where an unauthorized change or damage to City property which is not an apparent threat to public safety or property comes to the attention of staff, the City may choose to not take action to have the City property restored until it becomes a threat or until City forces are undertaking regular maintenance or capital construction in the immediate vicinity.
3. Where the party responsible for unauthorized changes or damage to City property can be identified, they must restore the City property at their cost within a reasonable time as determined by the General Manager of Engineering and Public Works or designate but not to exceed one calendar year.
4. The property owner fronting changed (unauthorized) or damaged City property will have the option of restoring the City property to an approved condition themselves, or having City forces restore the City property.
5. If City forces restore unauthorized changes or damage to City property, the City will take reasonable precautions to protect private property, but will not be responsible for any damage to privately placed improvements on the City right of way which may result from the restoration of City property.

(Engineering Department)

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4. The property owner fronting changed (unauthorized) or damaged City property will have the option of restoring the City property to an approved condition themselves, or having City forces restore the City property.
5. If City forces restore unauthorized changes or damage to City property, the City will take reasonable precautions to protect private property, but will not be responsible for any damage to privately placed improvements on the City right of way which may result from the restoration of City property.

(Engineering Department)

Recommended Policies to be Rescinded

Policy No.	Title	Date Adopted by Council or Amended	Explanation	Division/ Department
1004	Invitations to Council to Attend Fund-Raising Events For Non-Profit Organizations	02/25/1991	Obsolete.	City Clerk's Office
6006/ 6006.01	Donations – Death of Current or Former City Employees	04/14/1997	Outdated. New administrative directive under review.	Human Resources
7002	Local Improvements by Council – Initiatives – Single Family Lot Size	06/25/1990	Policy redundant given the adoption of Bylaw 8751 and 8752 in 2011.	Engineering
8304	Minoru Chapel – Sale of Commercial Items	05/12/1997	Information incorporated into 8303.	Arts, Culture and Heritage



City of Richmond

Policy Manual

Page 1 of 1

Adopted by Council: Feb. 25/91

POLICY 1004

File Ref: 0105-00

INVITATIONS TO COUNCIL TO ATTEND FUND-RAISING EVENTS FOR NON-PROFIT ORGANIZATIONS**POLICY 1004:**

It is Council policy that:

All invitations received by Council members to attend fund-raising events by non-profit organizations and **requiring payment by the City** be reviewed informally by a committee of the Mayor, Acting Mayor (for the period in which the event is to be held) and the Administrator, with a report and recommendation **directly** to Council, to enable these requests to be dealt with as expeditiously as possible.

(City Administrator's Office)

CNCL - 144



City of Richmond

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Adopted by Council: April 14/97

POLICY 6006

File Ref: 0050-00

DONATIONS – DEATH OF CURRENT OR FORMER CITY EMPLOYEES**POLICY 6006:**

It is Council Policy that:

A donation of an appropriate amount, which may, at the request of the next of kin of the deceased, take the form of either flowers or a bequest to a charitable organization, shall be made by the City:

- (a) in the case of the death of a current employee or their spouse; and
- (b) with the approval of the Mayor, in the case of the death of a former employee with at least 10 years of service with the City.

(Human Resources)



City of Richmond

Policy Manual

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Adopted by Council: April 14/97

**ADMINISTRATIVE
PROCEDURE 6006.01**

File Ref: 0050-00

DONATIONS – DEATH OF CURRENT OR FORMER CITY EMPLOYEES

ADMINISTRATIVE PROCEDURE: 6006.01

It is Council Policy that:

Where a donation is to be sent in connection with the death of a current or former City employee:

- (a) the value shall not exceed \$50; and
- (b) the staff of the division of which the employee in question was a member, shall notify the Administrative Assistant in the Human Resources Section of the Finance and Corporate Services Division, providing the following information:
 - (i) the name and other pertinent information in connection with the deceased;
 - (ii) information about the whereabouts of family members, if known;
 - (iii) information about the choice of the donation.

Upon receipt of the above information, the Human Resources Section staff shall notify the members of Council, in writing, about the death, and make the necessary arrangements for the donation to be made.



City of Richmond

Policy Manual

Page 1 of 1	Adopted by Council: June 25/90	POLICY 7002
File Ref: 6190-00	LOCAL IMPROVEMENTS BY COUNCIL – INITIATIVES – SINGLE-FAMILY LOT SIZE POLICY AREAS	

POLICY 7002:

It is Council policy that:

Staff be authorized to undertake Local Improvements for single-family lot size policy areas (per section 702 of the Zoning and Development Bylaw), using the Council initiative option provided for in the Municipal Act, immediately upon adoption of such policies, where the approval of a Local Improvement is required for rezoning to a reduced lot width or area.

(Urban Development Division)

CNCL - 147



City of Richmond

Policy Manual

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Adopted by Council: May 12/97

POLICY 8304

File Ref: 0190-00

MINORU CHAPEL – SALE OF COMMERCIAL ITEMS

POLICY 8304:

It is Council policy that:

The display and sale of commercial items will not be permitted in Minoru Chapel.

(Community Services Division)