

Town of Caledon

Vendor Code of Conduct



1.0 Introduction

Welcome to the Town of Caledon!

As a valued vendor, we look forward to a mutually positive and productive business relationship. We have created this manual to better assist you in working with the Town of Caledon.

Vendors its employees, agents, subcontractors, bidders and potential bidders that supply goods and/or services to the Town (“Vendors”) are expected to adhere to this code of conduct for all dealings with the Town. Vendors shall be committed to performing their functions as specified in their contract and act with honesty, integrity, diligence, political neutrality and accountability and to avoid conflicts of interest, both real and apparent. Vendors are expected to perform their work in a manner that maintains and promotes public confidence in local government and its services provided.

2.0 Core Values

All Town staff and Vendors have the responsibility to work together for the common good of the community and residents. Vendors must behave in a manner that is both ethically responsible and accountable at all times in upholding the public’s interest.

Communication:	provide accurate, open and clear communication
Accountability:	responsible for our decisions and actions
Leadership:	lead by example
Excellence:	strive for excellence in everything we do
Diversity:	acknowledge the value of a diversity of opinions and skills
Opportunity:	embrace opportunities for training and development
Number one:	promote the Town of Caledon as the employer of choice

3.0 Principals of Our Ethical Business Practice

- Respect the lives, rights, privacy and property of others;
- Avoid all conflicts of interest in decisions that we determine or influence;
- Disclose any conflicts or potential conflicts of interest to the Manager, Purchasing & Risk Management

- Conduct duties and business relationships in an honest, fair and responsible manner;
- Sustain a culture in which ethical conduct is valued and recognized;
- Endorse accessibility and provide goods and services in a manner that respects the independence and dignity of persons with disabilities;
- Maintain safe, healthy and secure work environments;
- Sustain responsible trading practices with all Vendors to promote decent, legal and humane working conditions;
- To use resources, material and energy as efficiently and responsibly as possible in the provision of products and services;
- Foster a business environment that encourages open communication and seeks out, listens and responds to the ideas and concerns of stakeholders;
- Behave in a manner that is both ethically responsible and accountable at all times in upholding the public interest and will withstand public scrutiny;
- Provide timely, full and true disclosure of material information, both financial and non- financial, concerning the business and affairs of the Town to the public when and as required through authorized channels and/or spokespersons according to the Town Guidelines;
- Manage compliance with the Vendor Code of Conduct as any other critical business activity;
- Comply with applicable laws and Town policies and procedures.

4.0 Accessibility

Vendors will endorse accessibility and ensure the needs of those with disabilities are accommodated, recognizing the use of assistive devices, support persons, service animals, availability of documents and notices in alternative formats and applicable accessibility training. The Vendor shall require all applicable personnel (including those of its sub-contractors) to fulfill accessibility training requirements.

5.0 Harassment and Discrimination in the Workplace

Vendors and their sub-contractors shall treat all people with respect and dignity. No one shall be subject to any form of abuse.

The Vendor must abide by The Ontario Human Rights Code, R.S.O. 1990, Chapter c H.19 (OHRC) which states that every person has a right to equal treatment in employment without discrimination based on the following grounds:

- race
- sex (includes pregnancy and gender identity)
- ancestry
- sexual orientation
- place of origin
- age (over the age of 18, 16 and over in occupancy of accommodation)
- colour
- marital status (including same-sex partners)
- ethnic origin
- family status
- citizenship
- record of offenses (in employment only)
- receipt of public assistance (in accommodation only)
- creed (religion/beliefs)
- handicap

Discrimination includes differential treatment of an employee, potential employee or other persons based on prohibited grounds as set out in The Occupational Health and Safety Act.

Vendors shall be expected to adhere to the Workplace Harassment and Discrimination Procedure, and adhere to Town policies and not engage in behaviors that constitutes harassment

Harassment can present itself in many forms including but not limited to unsolicited remarks made deliberately or repeatedly, questions, suggestions or decisions based on prohibited grounds of discrimination.

- Vendors will not engage in a course of vexatious comments or conduct against a worker in the workplace that is known or ought reasonably to be known to be “unwelcome”. Vendors will not engage in any unwelcome remark jokes, innuendos or taunting about a person’s racial ethnic or religious background, colour place of birth, citizenship, ancestry, or any other prohibited ground.
- Vendors will not display engage in racist, derogatory, sexually suggestive or other offensive pictures or materials
- Vendors will not engage in unwelcome remarks or jokes about a person’s body, attire or gender, leering, unnecessary physical contact, any unwelcome sexual solicitation or advance, or reprisal or threat of reprisal for the rejection of a sexual solicitation or advance

6.0 Health and Safety

The Town expects Vendors to provide healthy and safe workplaces and comply with relevant health and safety laws. We expect Vendors to provide all their employees with adequate information and instruction on health and safety concerns and to enable their

employees to meet their responsibilities for the maintenance of a healthy and safe workplace.

Vendors and their sub-contractors will:

- Provide their workers with safe and healthy work environments which, as a minimum standard, is in compliance with Ontario health and safety laws and regulations.
- Take adequate steps to prevent accidents or injuries to health arising out of, associated with, or occurring in the course of work.
- Ensure that any living facilities provided for personnel are safe and clean and meet the basic needs of personnel.
- Provide health and safety training appropriate for their industry
- Ensure that the all equipment and tools, including personal protective equipment are in proper working condition, maintained and certified
- The vendor will ensure workers are free to express their concerns about workplace conditions without fear of retribution of losing their jobs

7.0 Smoking in the Workplace

- In accordance with the Town's commitment to providing a smoke-free environment for its employees and the general public accessing municipal services at Town facilities, smoking is prohibited in the workplace.
- Smoking is strictly limited to outdoor smoking areas that are designated by the Town
- Smoking is not permitted in any area within nine (9) meter radius of an entrance or exit to a facility, which is owned or leased, in whole or in part, by the Town, including but not limited to playgrounds, sport fields, parks and outdoor recreation areas
- Smoking includes the smoking or holding of lighted tobacco or lighted herbal material, and the use or holding of electronic smoking devices (Cigarettes, hookah pens, etc)

8.0 Social Media

- The Town of Caledon supports the use of online communications to enhance customer service and leverage the Town's brand.
- The Town Vendors will ensure that any communication via social media platforms is conducted on behalf of the Town in a manner that is consistent and respectful to Canadian libel laws, *Municipal Freedom of Information and Protection of Privacy Act*, and Town of Caledon practices in regards to confidential information and intellectual property.

9.0 Workplace Alcohol and Drug Use

Town Vendors and their sub-contractors will:

1. Not use or be under the influence of illegal drugs or impaired by alcohol or any type of drugs while conducting business or services for or on behalf of the Town at work.
2. Allow adequate time for the body to remove all alcohol or other drugs from the bloodstream before coming to work or assuming job responsibilities.

All Vendors must report for work fit for duty, to perform their work duties safely, competently and efficiently, without any limitation arising from substance use or the after-effects of substance use.

Fit for duty means that an individual is mentally, emotionally and physically able to safely and competently perform their assigned duties without any limitations attributable but not limited to illness, injury, fatigue, mental stress or the use and/or after-effects of alcohol, over the counter, prescription, legal or illegal drugs.

10.0 Workplace Violence

Vendors will not engage in any behaviors that may be considered threats or acts of violence. Violence includes attempting to or exercising, physical force by a person against an employee in a workplace that causes or could cause physical injury, or a statement or behavior that is reasonably interpreted as a threat to exercise physical force that could cause physical injury to an employee.

Domestic Violence – includes a person who has a personal relationship with a worker- such as a spouse or former spouse, current or former intimate partner or a family member- who may physically harm, threaten or attempt to physically harm the worker while at work.

Workplace - includes the working environment and any place employment-related activities are conducted including business travel, work-related social gatherings or any other location that may have a subsequent impact on the workplace.

11.0 Employment Standards

Vendors will employ employees who are, in all cases; present voluntarily, not put at risk of physical harm due to their work environment, fairly compensated and allowed the lawful right of free association.

12.0 Wages and Benefits

Vendors will at a minimum, provide wages and benefits that comply with the laws, as stipulated by the Ontario Ministry of Labor, within the Employment Standards Act. Pay workers and provide workers with clear, written accounting of hours worked, deductions and regular and overtime wages in a language they can understand.

13.0 Child Labour

Child labour is prohibited.

14.0 Forced or Slave Labour

Vendors of the Town will not use forced or slave labour. The Town does not wish to encourage the use of products that have been made in factories in countries where children are used as slave labour or other exploitive circumstances, which impede child development.

15.0 Disciplinary Practices

Vendors will not use corporal punishment or other forms of mental or physical coercion.

16.0 Environmental Commitment

The Town of Caledon strives to reduce the impact of its operations and business decisions on the natural environment. Ensuring that environmental considerations are embedded into Town procurement processes is integral to mitigating the Town's environmental and climate change impact. To align with this, Vendors working for the Town will strive to reduce the negative environmental impacts of the goods and services they provide. Therefore, at a minimum, Town Vendors must have an awareness and compliance, where necessary, of the environmental laws, regulations, approvals or permits in the relevant jurisdiction, related to the products or services they provide. As a result, all required permits are to be maintained and in compliance with all applicable environmental laws and regulations.

In addition, Vendors are encouraged to identify and manage the environmental impacts associated with their goods and services by:

- a) Reducing water, energy and other unnecessary waste at the source or as a byproduct of their operations, through actions such as modifying production, maintenance, and facility processes, materials substitution, conservation, recycling, and re-using materials;
- b) Conserving natural resources and reducing carbon emissions by committing to standards and activities that reduce the number of materials used or have a recycled content;

- c) Identification and management of materials posing an environmental hazard to ensure safe handling, movement, storage, recycling or re-use and disposal;

17.0 Conflicts of Interest

In their relationship with our employees, Vendors must not try to gain improper advantage or preferential treatment for other relationships they may have with the Town.

18.0 Gifts and Entertainment

The nature of the gifts or entertainment must not, by their quality, quantity or timing, be used by Vendors to gain improper advantage or preferential treatment. We expect that Vendors will maintain appropriate records of exchanges of gifts and entertainment with Town employees.

19.0 Anti-bribery and Anti-Corruption

Vendors must not engage in any conduct that would put the Town of Caledon at risk of violating anti- bribery laws.

20.0 Ethical Dealings with Employees

The Town expects its employees to treat all Vendors – or those seeking to do business with the Town, with honesty, integrity and respect. In conducting business on behalf of The Town, employees are bound by the Employee Code of Conduct.

Employees must never be put in a position where personal or financial incentives or interests may impair their judgement and ability to make decisions in the best interest of the Town.

It is never acceptable for any employee to pay or accept any bribe, kickback or other unlawful payment or benefit to secure any concession, contract or other favorable treatment.

The Town expects its Vendors to respect our employees who are duty-bound to comply with the Employee Code of Conduct guidelines regarding gifts, entertainment and travel. The Town does not believe that its business goals are best advanced in an environment of entertainment and, thus, employees are discouraged from accepting invitations to participate in sporting or cultural

events. The Town does encourage its employees and Vendors to come together in support of charitable events and programs where there is mutual interest.

21.0 Sub-Contractors

Vendors will certify that their sub-Vendors of materials or finished goods used in the manufacture of finished goods for the Town comply with product and service specifications provided or promised and also comply with this Vendor Code of Conduct.

It is important for the Town to know the locations of where the work will be performed or goods sourced and the parties involved in the provision of the services.

Vendors must manage their subcontractors to ensure it complies with contractual obligations with the Town and with this Vendor Code of Conduct and provide evidence of such monitoring upon request.

22.0 Products and Services

Vendors will supply only products and/or services that comply with the Town's specifications and comply with all applicable Canadian legal requirements. Vendors will supply only products and/or services that, when used as intended, are safe for employees, consumers, and the environment.

All Vendors business operations will comply with the laws, statutes and regulations of each jurisdiction in which they operate.

Vendors will cooperate fully with the Town and take appropriate steps, including notification of the Town's stakeholders and public product recalls, to address any health, safety, environmental or regulatory issues associated with their products and/or services.

The Town will determine the frequency and extent of the assessments and ongoing monitoring. Consistent with standard industry practice, all costs associated with the assessments and ongoing monitoring will be borne solely by the vendor.

Vendors will allow the Town and/or any of its representatives reasonable and timely access to its facilities and to its relevant records at all times.

23.0 Compliance and Implementation

The Town expects all its Vendors to respect and to actively do their utmost to achieve the Town's standards. The Town believes in cooperation and the Town is willing to work with its Vendors to improve Vendor performance where necessary.

The Town will require that Vendor provide details on factory and production facility locations of Vendors and subcontractors and will make this information publicly

available upon request.

The Town reserves the right to ask for proof of compliance with all applicable labour, health, safety, and environmental laws, and may inspect working conditions, at any time (or request independent verification of compliance) at the Vendor's expense.

The Town or a third party designated by the Town may periodically conduct on-site assessments of selected vendor facilities that produce finished goods for the Town. The Town may also periodically conduct on-site assessments of selected sub-vendor facilities that provide services, produce materials or finished goods for the Town. Assessments may include a review of relevant vendor records as well as inspection of the facility for compliance with this Vendor Code of Conduct.

24.0 Invoicing / Accounts Payable

All Vendors providing goods or services to the Town of Caledon in the normal course of the Vendor's business are required to provide an acceptable invoice. A statement is not an appropriate documentation. Payment processing may be delayed if invoices have missing or incorrect information.

All vendor invoices must include the following information at a minimum:

- Vendor name and address
- Date of invoice
- Invoice number
- Itemized list of goods and/or services, including the date they were provided
- Tax must be broken out and itemized separately if applicable
- Total amount due
- Purchase Order (PO) Number as issued by the Town of Caledon

The Town may include additional invoice requirements in its contracts.

25.0 Confidentiality and Privacy

Vendors will not disclose to others or use for their own purposes or the purposes of others any trade secrets, confidential information, knowledge, designs, data, skill, or any other information which the Town presents to the vendor as confidential.

Vendors will respect the privacy of personal information they collect, use or disclose as a consequence of their business relationship with the Town. Confidential business and personal information must be protected.

Confidential and sensitive information must be protected against theft, loss, destruction, unauthorized access or misuse. If you are aware of any attempt to obtain sensitive information by unauthorized means or misuse of such information, Vendors must advise the Town Representative as defined in your contract.

When discussing business matters, your surroundings must be considered. Conversations in public places should be limited to information that is non-confidential and does not include references that could identify a person or situation. Vendors and their staff are to consider, at all times, how their actions and words impact upon the interests of the Town.

26.0 Vendor Performance

The Town will manage Vendor performance on a regular basis as part of the contract management process. The vendor will have regular meetings to update the Town on the status of the project.

This will include a Vendor performance scorecard which will document the Vendor's progress as well as the criterion and provide a rating that will be documented and will be managed through to the completion of the project or task.

The Town will issue a final Vendor report for the project, and if necessary will issue a non-performance which may result in a Vendor being banned to bid on future Town work.

27.0 Complaint Procedure

The Vendor shall set out the grounds for the belief and the contravention alleged. For example, facts should include the name of the alleged offender, the provision allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information respecting the complainant.

The Vendor shall submit a completed signed form as provided by the Manager, Purchasing & Risk Management.

28.0 Violation of the Vendor Code of Conduct

Where, it has been determined by the Town that a violation of the Vendor Code of Conduct has occurred; it may result in, but is not limited to, any one of the following:

1. Coaching/Training
2. Verbal or written warnings
3. Suspension
4. Banned from future Town contracts
5. Removal from volunteer positions with the Town where appropriate
6. Notification sent to professional associations