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# Human Resources Policy

## Code of Conduct



Policy No. 4.51.5

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### 1.0 Responsibility

Chief People and Culture Officer

### 2.0 Commitment and Purpose

2.1 The Toronto Transit Commission (TTC) is committed to conducting its business with integrity, honesty, and professionalism consistent with this Code of Conduct (Code), and in compliance with applicable laws and by-laws.

2.2 This Code provides a formal statement of the policies and a framework of principles and expectations of ethical behaviour and business conduct of the TTC, and its employees and contractors.

2.3 This policy applies to:

- a) All TTC employees, including full-time, part-time, temporary, student, co-op, intern, casual or term employees; and
- b) Any persons, who perform work at a TTC workplace\* including but not limited to, contractors, consultants, unpaid interns or co-op students, and an individual that is paid by a third party and uses TTC assets (e.g. computers) and performs work for the TTC (e.g. Non-Employee Labour Assistants) (collectively referred to as “contractors”).

\*Note: “workplace” includes all locations where TTC services are provided, or where business or social activities of the TTC are conducted, including all land, facilities, mobile equipment and vehicles owned, leased or otherwise directly controlled by the TTC for the purpose of conducting TTC business.

2.4 This Code shall govern and guide employees and contractors in the performance of their duties and responsibilities and daily business decision making and interaction(s) with others.

2.5 All contractors will be advised of the applicable provisions of this Code and will be expected to enforce these requirements for their employees, sub-contractors and agents.

- 2.6 This Code is not designed to anticipate or foresee every possible event or situation that may arise. Employees and contractors are expected to use their best judgement in the spirit of this Code. Employees and contractors are encouraged to ask for guidance before taking action.
- 2.7 Any violation of this Code by an employee may result in discipline, up to and including dismissal. Management should contact the Employee Relations Section of the Human Resources Department prior to any disciplinary action being taken.
- 2.8 Any violation of this Code by a contractor may result in the termination of their contract.

### 3.0 General Principles

This Code provides a framework of principles for conducting business and dealing with employees, customers, contractors and other stakeholders which are:

- to act with personal integrity, ethics, honesty, diligence and professionalism and in the best interests of the TTC
- to be scrupulous in the proper use and protection of TTC information, funds, equipment, facilities, employee benefits available under the TTC Benefit Plan, and other assets
- to comply with all laws and by-laws, regulations and TTC policies governing ethical behaviour and conduct
- to exercise fairness, equity, courtesy, and sensitivity in dealing with employees, customers, contractors and other stakeholders
- to respect the dignity and rights of others and without discrimination
- to avoid conflicts of interest or the appearance of a conflict of interest
- and to promote a safe and secure work environment.

### 4.0 Employee and Contractor Responsibility

All employees and contractors are required to:

- 4.1 Adhere to the standards described in this Code.
- 4.2 Comply with all applicable legislation and municipal by-laws, including but not limited to the responsibilities and obligations as set out in the *Ontario Human Rights Code* and the Toronto Municipal Code – Chapter 192, Public Service (“Toronto Public Service By-Law”). Employees and contractors are expected to be sufficiently familiar with any legislation that applies to their work and to

- recognize potential liabilities and know when to seek advice. If in doubt, employees and contractors are expected to ask for clarification.
- 4.3 Perform their duties and responsibilities with integrity, impartiality, professionalism, skill, honesty, objectivity, care and diligence, using their job-related authority in a fair and equitable manner.
  - 4.4 Be accountable and transparent and apply good judgment and discretion in the course of making business decisions.
  - 4.5 Avoid all real or perceived conflicts of interest.
  - 4.6 Not engage in inappropriate and unprofessional conduct in the workplace, examples include: profanity, or swearing; excessive noise; insulting or negative comments that can affect the workplace; offensive pictures or jokes; and demonstrating little or no respect for others and/or their personal belongings. Employees are expected to be reasonable and fair in their expectations of each other and resolve any conflict in a mature and professional manner.
  - 4.7 Ensure property or assets in the workplace are not threatened or damaged.
  - 4.8 Reflect a professional image at all times. Employees and contractors are requested to be mindful of their attire and dress appropriately for their job.
  - 4.9 Abide by TTC policies and procedures, instructions and lawful directions that relate to their employment, duties and responsibilities.
  - 4.10 Refrain from committing or condoning any unethical or illegal act or instructing another employee or contractor to do so. TTC employees and contractors should take the approach that every act should withstand the scrutiny that would be applied if it were committed in public view.
  - 4.11 Maintain a safe and secure work environment.
  - 4.12 Refrain from making comments that slander, defame and/or disparage the reputation of the TTC or an employee of the TTC.
  - 4.13 Not make any audio or video recordings in the workplace without the prior, informed consent of all parties involved. Unauthorized or surreptitious recordings, including conversations, meetings, or workplace activities, are strictly prohibited. The TTC may conduct recordings for approved organizational purposes, such as safety, operational needs, or investigations, and only through authorized personnel. Employees must safeguard confidential information at all times and

must not encourage, assist, or condone the recording of workplace conversations or activities without consent.

4.14 Work in accordance with the TTC's policies and controls established to prevent fraudulent misconduct.

4.15 Promptly report violations of this Code as set out in Section 7 of this Code.

## 5.0 Management Responsibility

In addition to the requirements as set out in section 4.0 above, TTC managers and supervisors are required to:

5.1 Commit to being a leader and model the appropriate behaviours outlined in this Code.

5.2 Ensure that their employees and contractors are aware of, and act in compliance with, this Code and its related policies.

5.3 Create a work environment reflecting the content and spirit of this Code and TTC values.

5.4 Must make every effort to establish and maintain adequate systems, procedures and controls to prevent and detect fraud, theft, breach of trust, conflict of interest, bias and any other form of wrongdoing and criminal activity.

5.5 Upon receiving disclosure of an actual or potential breach of this Code, the supervisor or manager shall either determine that no breach exists or take reasonable steps to ensure that the matter is addressed in the appropriate manner. This includes seeking advice from Employee Relations.

5.6 Ensure that each incident of suspected wrongdoing is investigated. If a breach of this Code or any other related policy is proven, the TTC will deal firmly and fairly with the employee or contractor, as applicable, in addressing the breach of this Code or any other related policy.

## 6.0 Ethics Executive Responsibility

6.1 "Ethics Executive" means the person prescribed by the Toronto Public Service By-Law to support and promote an ethical workplace and provide an additional channel for employees to seek advice and guidance on ethical matters in addition to their immediate managers. The Ethics Executive for the TTC is the

Chief Executive Officer. The Toronto Public Service By-Law allows the Chief Executive Officer to designate other senior TTC staff as Ethics Executives.

The following senior TTC staff have been designated as Ethics Executives:

- Chief Capital Officer
- Chief Financial Officer
- Chief Operating Officer
- Chief People and Culture Officer
- Chief Safety Officer
- Chief Strategy and Customer Experience Officer
- General Counsel

6.2 Ethic Executives are responsible for:

- promoting ethical conduct and decision-making
- ensuring staff are familiar with the ethical provisions included in the Toronto Public Service By-law and providing guidance on their application, and
- providing advice and guidance to staff on situations involving conflict of interest, political activity and other ethical matters.

## 7.0 Complying With Laws, By-Laws, Regulations and TTC Policies

7.1 All employees and contractors subject to this policy are expected to be aware of and comply with all applicable laws, by-laws, regulations and TTC policies, rules, standard operating procedures, practices and/or instructions which may be amended from time to time at the TTC's sole discretion.

7.2 Every person, across various disciplines, is also expected to uphold the practices and principles related to his/her respective professional regulatory body.

## 8.0 Reporting Allegations

8.1 A breach of this Code requires immediate attention, and employees and contractors (as applicable), have an obligation to report any known or suspected breaches, including unethical or illegal conduct as soon as they occur or become aware of them.

8.2 Any allegation of a breach of this Code should be made to the employee's immediate supervisor or, if the allegations are being reported by a contractor to the applicable TTC representative or contract administrator.

- 8.3 Employees and contractors should provide as much information as possible about the possible breach they are reporting.

When reporting an alleged violation of this Code, employees or contractors are encouraged to provide their name and contact information. This information will assist in the investigation of the matter, including any follow-up discussions that may be needed. In some cases it may not be possible to initiate or properly conduct an investigation without this information.

- 8.4 It is recognized that in some circumstances employees or contractors may not be comfortable raising a concern regarding a potential breach of this Code to their supervisor or manager. For these reasons, the TTC has established the “integrity” program, using the services of a third party service provider, and has set up an independently managed, toll-free hotline that is available year-round, 24 hours a day, 7 days a week to receive reports from employees or contractors on potential breaches of this Code or criminal activity. The integrity program is an anonymous reporting mechanism.

For information on how to report possible breaches of this Code or criminal activity to our third-party vendor, please visit the Legal Department’s intranet site. Information is also available at work locations.

The TTC recognizes that there may be cases of emergency where it is necessary to immediately report an on-going, dangerous criminal activity. In these cases, employees should call 911 or 9-911 from a TTC phone and notify Transit Control at ext. 3555.

- 8.5 Employees and contractors must co-operate fully during an investigation relating to a suspected breach of this Code or any other related policy.
- 8.6 Acts of retaliation or consequence targeted at any employee who reports a suspected breach of this Code, is a potential witness, or is involved in an investigation will not be tolerated. Such acts will result in disciplinary action up to and including dismissal.
- 8.7 Any employee under investigation for an alleged breach of this Code may, among other things, be suspended with or without pay or be re-assigned to other duties pending completion of the investigation, depending on the particulars of the case and the best interests of the TTC.
- 8.8 When in doubt about the interpretation or application of this Code, clarification should be sought from an employee’s immediate supervisor.

## 9.0 Conditions of Employment

Employees shall also be governed by the Conditions of Employment Policy. For further information and guidance on this matter refer to the Conditions of Employment Policy.

## 10.0 Whistle Blower Protection

10.1 The TTC will provide protection from retaliation towards employees and contractors who, in good faith, make a complaint or disclosure about an alleged breach of this Code, using the available reporting channels, and will also ensure that these employees will not be disadvantaged or prejudiced in the making of such a complaint or disclosure.

10.2 For further information and guidance on this matter consult the Whistle Blower Reporting and Protection Policy.

## 11.0 Use of TTC's Property

Employees are required to fully comply with the requirements under the Toronto Public Service By-law – Conflict of Interest Provisions. For further information and guidance on this matter, consult the Toronto Public Service By-Law.

## 12.0 Intellectual Property

12.1 Intellectual property is comprised of, but is not limited to, trademarks, domain names, patents, designs, ideas, processes, copyrights, inventions and data. Employees and contractors have a duty to protect the TTC's intellectual property. Subject to applicable laws, any inventions, discoveries or improvements made by employees during the course of their work at the TTC is and shall become the property of the TTC. This shall apply regardless of whether the invention or discovery occurred during working hours at the TTC or used TTC assets. Intellectual property is also considered confidential information.

12.2 For further information and guidance on these matters consult the Acceptable Use Policy and Toronto Public Service By-law.

## 13.0 Use or Disclosure of Confidential Information

Employees are required to fully comply with the requirements under the Toronto Public Service By-law – Conflict of Interest Provisions. For further information and guidance on this matter, consult the Toronto Public Service By-Law.

## 14.0 Fraud / Theft

### 14.1 Definition of Fraud

Fraud includes a deliberate false misrepresentation or deception that is intended to result in unfair or unlawful financial or personal gain.

Fraud will typically involve a dishonest act or omission in an attempt to gain some personal benefit or advantage (or to gain some personal benefit or advantage for a family member or friend). It can also include the abuse of authority, assigned to, or entrusted upon, an individual by the TTC, to achieve an improper end.

Examples of fraud include but are not limited to:

- bribes, corruption and embezzlement
- forgery or alteration of cheques, or documents
- misappropriation of funds, supplies or other assets
- improper handling and reporting of monetary transactions
- misuse of one's position for personal gain
- destruction, removal or inappropriate use of records or assets
- submission of incorrect timesheets
- submission of false or misleading information on employee benefit claims or application for dependent coverage.

### 14.2 Definition of Theft

Theft includes the taking, without permission, or stealing of any object, money, service, asset, time or information that is the property of anyone, including property of the TTC or under control of the TTC.

14.3 Employees shall not knowingly be a party to any fraud, including theft of time, which is defined as misuse of the TTC's time and property.

14.4 Employees are encouraged to report any knowledge of suspicion of fraud or theft. See section 8.0 Reporting Allegations.

14.5 Confirmed incidents of fraud or theft committed against the TTC may be viewed as acts of criminal activity and will be treated accordingly.

14.6 Employees covered by a collective agreement are subject to the specific penalties in relation to theft, as detailed in the applicable collective agreement.

### **15.0 Criminal Misconduct**

An employee that has engaged in a criminal activity that directly or indirectly impacts the employee's employment shall be subject to disciplinary action up to and including dismissal and/or legal action. For further information and guidance on this matter consult the Criminal Misconduct Policy.

### **16.0 Media and Public Relations**

16.1 Communications with the media and public will be conducted so that all information originates from a qualified, informed and approved TTC spokesperson. For further information and guidance on this matter, consult the Employee Communications with Media Policy.

16.2 Employees must use caution to ensure that the TTC's interests are not compromised in any way, either by the use of TTC letterhead, e-mail addresses or by any other implication.

### **17.0 Conflict of Interest**

Employees are required to fully comply with the requirements under the Toronto Public Service By-Law - Conflict of Interest Provisions. For further information and guidance on this matter, consult the Toronto Public Service By-Law.

### **18.0 Outside Work / Business Activity (Moonlighting)**

An employee must ensure that moonlighting at an external job or business does not negatively impact on the employee's performance at the TTC, nor contravene any of its related policies and procedures. An employee shall not be permitted to moonlight at an external job or business during the employee's normal working hours at the TTC. If there is a potential conflict, employees must advise their immediate supervisor of all external work situations, including being self-employed, during off-duty hours, vacation periods or while on leaves of absence, to ensure compliance with this Code, the Toronto Public Service By-Law and related TTC policies. This includes providing the full details of such work (i.e. type/nature of work, name of employer/business, days/hours of work, etc.). For further information and guidance on this matter, consult the Toronto Public Service By-Law - Conflict of Interest Provisions and the Conditions of Employment Policy.

### **19.0 Community Activity**

The TTC supports employees who take part in community activities. However, it is important to bear in mind that such service may at times, place the employee in a real

or perceived conflict of interest situation. Please refer to the Toronto Public Service By-Law - Conflict of Interest Provisions for guidance or discuss the situation with your immediate supervisor or Ethics Executive.

## **20.0 Political Activity**

Employees are required to fully comply with the requirements under the Toronto Public Service By-Law – Political Activity Provisions. For further information and guidance on this matter, consult the Toronto Public Service By-Law.

## **21.0 Safe and Respectful Work Environment**

### Respect and Dignity

- 21.1 The TTC is committed to providing a work environment and service delivery that respects dignity, self-worth and human rights of every individual, and is free of discrimination or harassment. The TTC will not tolerate any acts of discrimination or harassment perpetrated against or by any employee, contractor, or customer. For further information and guidance on this matter consult the Workplace Harassment and Discrimination Policy.
- 21.2 All employees and contractors are expected to act respectfully towards others and not conduct themselves in a manner that will embarrass and/or jeopardize the integrity, business interests, image and/or reputation of the TTC.
- 21.3 All employees and contractors are encouraged to report all incidents of discrimination and/or harassment experienced, witnessed, or having knowledge of to a supervisor, member of management and/or the Human Rights and Investigations Department.

### Workplace Violence

- 21.4 The TTC is committed to providing a safe work environment and service delivery that is free from violence or the threat of violence. The TTC will not tolerate any actual, attempted or threatened violence against or by any employee, contractor, or customer. For further information and guidance on this matter consult the Workplace Violence Policy.

### Graffiti and Vandalism

- 21.5 Graffiti in the workplace is an act of vandalism that demonstrates a total disregard for one's co-workers and the workplace. Incidents of graffiti in the

workplace will not be tolerated. Any employee responsible for graffiti may be charged criminally and may be disciplined up to and including dismissal.

- 21.6 Graffiti which singles out a person or groups of people because of their race, ancestry, colour, ethnic origin, place of origin, citizenship, creed, religion, age, sex (including pregnancy), marital status, sexual orientation, gender expression, gender identity, record of offences, family status and disability is a form of harassment. It is contrary to the Ontario Human Rights Code and the TTC's Respect and Dignity Policy. Such graffiti creates a poisoned work environment and is illegal in Ontario. Any employee who finds graffiti in the workplace must report it to Transit Control at extension 3444 and their supervisor.

## 22.0 Reference Sources

- Acceptable Use Policy
- Collective Agreements
- Conditions of Employment Policy
- Criminal Misconduct Policy
- Employee Communications with Media Policy
- Employment Policy
- Federal, Provincial and Municipal Elections Policy
- Access to Information and Protection of Privacy Policy
- Toronto Municipal Code, Chapter 192, Public Service (Toronto Public Service By-Law)
- Use of Resources During an Election Policy
- Whistle Blower Reporting and Protection Policy
- Workplace Harassment and Discrimination Policy
- Workplace Violence Policy