



# **Thunder Bay Horticultural Society**

## **Code of Conduct**

### **Oath of Office & Confidentiality Agreement**

#### **Oath of Office and Confidentiality Agreement**

I, \_\_\_\_\_, a Board Member/Member of the Thunder Bay Horticultural Society, declare that, in carrying out my duties as a Board Member/Member I will:

1. Exercise the powers of my office and fulfill my responsibilities in good faith, to the best of my abilities and in the best interests of the Thunder Bay Horticultural Society (hereafter referred to as the Thunder Bay Horticultural Society).
2. Carry out these responsibilities exercising all reasonable care.
3. Respect and support the Constitution and By-Laws, Policies and Procedures, Code of Conduct of the Thunder Bay Horticultural Society and the decisions of the Board and the membership of the Thunder Bay Horticultural Society.
4. Review all related meeting information prepared in advance, attend and participate in discussions of the Board and various standing committees, at all times keeping in mind the best interests of the Thunder Bay Horticultural Society as a whole.
5. Conduct myself in a spirit of collegiality and respect for the collective decisions of the Board and set aside my personal interests to the best interests of the Thunder Bay Horticultural Society.
6. Immediately declare any personal conflict of interest that may come to my attention.
7. Respect the confidentiality of discussions at all meetings of the Thunder Bay Horticultural Society Meetings including Board Meetings, Committee Meetings, Teleconferences etc. by rule or request.
8. Immediately report any potential breach of this Code of Conduct to the President in writing. I understand that an investigation of actual or perceived violations of the Code of Conduct may be conducted and may require me to step aside until such time as a review has been completed. If upon a full review and decision by the Code of Conduct Committee and following any subsequent appeal to the Officers, if any, I am found in breach of the Code of Conduct, resign my position effective immediately.
9. If an issue of breach has been raised by either the Board or any member of the Thunder Bay Horticultural Society against me, I understand that I may be required to step aside until such



time as a review has been completed. If upon a full review and decision by the Code of Conduct Committee and following any subsequent appeal to the Officers, if any, I am found in breach of the Code of Conduct, comply with the decision of the Board and/or appeal body.

10. Cooperate fully and honestly if I am interviewed or asked to provide information regarding an actual or perceived breach. I may not interfere with individuals who may be witnesses to a matter under investigation, nor conceal or destroy any information pertinent to an investigation.
11. Cooperate with government authorities in their proper performance of inquiries or investigations including requests for information, notice of an investigation, or the service of a subpoena. Any inquiry from a government official or entity should be referred to the Thunder Bay Horticultural Society President, unless you have been specifically authorized to respond to such inquiries.

### **Code of Conduct**

Board members/Members of the Thunder Bay Horticultural Society (hereafter referred to as the Thunder Bay Horticultural Society) will at all times conduct themselves in a manner that:

1. Supports the objectives of the Thunder Bay Horticultural Society.
2. Serves the overall best interests of the Thunder Bay Horticultural Society.
3. Brings credibility and good will to the Thunder Bay Horticultural Society.
4. Respects the principles of due process and fair play.
5. Demonstrates respect for individuals in all manifestations of their cultural and linguistic diversity and life circumstances.
6. Respects and gives fair consideration to diverse and opposing viewpoints.
7. Demonstrates due diligence and dedication in preparation for and attendance at meetings, special events and in all other activities on behalf of the Thunder Bay Horticultural Society.
8. Demonstrates good faith, prudent judgment, honesty, transparency and openness in their activities on behalf of the Thunder Bay Horticultural Society.
9. Ensures that the financial affairs of the Thunder Bay Horticultural Society are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities and public trustees.
10. Avoids actual and perceived conflicts of interest.



11. Conforms to the Thunder Bay Horticultural Society Constitution and By-Laws and the Thunder Bay Horticultural Society Policies and Procedures approved by the Board.
12. Publicly demonstrates acceptance, respect and support for decisions legitimately taken in transaction of the Thunder Bay Horticultural Society's business.
13. Adheres to the Agricultural and the Horticultural Organizations Act R.S.O. 1990 c. A.9.
14. Encourages a positive environment in which individual contributions are encouraged and valued.
15. Employs established communication channels when questions or concerns arise.
16. Rejects any offered payment or financial benefit when dealing with other organizations or persons through Thunder Bay Horticultural Society involvement, other than the reimbursement of out of pocket expenses pursuant to the Thunder Bay Horticultural Society Financial Policy and Procedure and/or generally acceptable financial practices and/or through the normal business practices of the board.
17. Contributes from personal, professional and life experiences to enhance the decision making process of the Board.
18. Refrains from trying to influence other Board Members/Members outside of Board Meetings/Meetings that might have the effect of creating factions and limit free and open discussion.
19. Discloses any involvement with other organizations, businesses or individuals where such a relationship might be viewed as a Conflict of Interest.
20. Acts in a manner which cannot be perceived as or that is not actual harassment or abuse as defined here in.

### **Conflict of Interest Guidelines**

A Conflict of Interest refers to a situation in which personal, occupational or financial considerations may affect or appear to affect a Board Member/Members objectivity, judgment or ability to act in the best interests of the Thunder Bay Horticultural Society. A Conflict of Interest may be actual, potential or perceived in nature.

Examples may include but are not limited to:

1. Personal interests which conflict with the interests of the Thunder Bay Horticultural Society or are otherwise adverse to the interests of the Thunder Bay Horticultural Society.



2. Accept payment or benefit financially through Thunder Bay Horticultural Society involvement, other than reimbursement of out of pocket expenses pursuant to the Thunder Bay Horticultural Society Financial Policy and Procedures and/or generally acceptable financial practices and/or through the normal business practices of the Board.

### **Complaint Process**

1. The Board shall, at the Board Meeting held after the AGM form a Code of Conduct Committee comprised of a minimum of five members. The general membership of the Thunder Bay Horticultural Society shall be advised of the committee Chair.
2. Any member of the Thunder Bay Horticultural Society, who is In Good Standing, may file a complaint regarding an alleged breach of the Code of Conduct by any Board Member/Member or Volunteer of the Thunder Bay Horticultural Society.
3. The complainant shall deliver a written complaint by registered mail to the Code of Conduct Committee Chair of the Thunder Bay Horticultural Society. Should the Code of Conduct Committee Chair be the subject of the complaint, the complainant shall deliver a written copy of the complaint by registered mail to the President of the Thunder Bay Horticultural Society.
4. The person receiving the complaint shall deliver a copy of the complaint, by registered mail, to the Chair of the Code of Conduct Committee.
5. The Chair of the Code of Conduct Committee shall advise two members of the Code of Conduct Committee and cause an investigation to be made regarding the complaint. A third member may be advised and act as a silent member.
6. The Chair of the Code of Conduct Committee shall advise the person who is the subject of the complaint, in writing by registered mail, that an investigation has been commenced. The investigation shall be completed as expeditiously as is practical considering all of the circumstances.
7. The Chair of the Code of Conduct Committee shall advise the person who is the subject of the complaint and the Board of its findings and its decision(s). The decision(s) of the Code of Conduct Committee shall be in writing, sent by registered mail and is final, subject to any appeal process.
8. The Code of Conduct Committee, based on the nature of the complaint, may require the Board Member/Member to step aside until such time as a review has been completed. Complaints containing allegations of financial improprieties, harassment, sexual harassment, or abuse will require the Board Member/Member to step aside until such time as a review has been completed.
9. Any person found by the Code of Conduct Committee to be in violation of the Code of Conduct and subject to the subsequent ramifications, may, within 15 days of receiving



notification in writing by registered mail of the decision of the Code of Conduct Committee, appeal the decision of the Code of Conduct Committee to the Officers of the Thunder Bay Horticultural Society. The appeal shall be in writing by registered mail and set out the reasons for the appeal.

10. The decision of the Officers of the Thunder Bay Horticultural Society regarding an appeal of the decision of the Code of Conduct Committee shall be final and there is no further appeal process available within the structure of the Thunder Bay Horticultural Society.

### **Definitions**

**a. Harassment:**

Harassment consists of offensive, abusive, belittling or threatening behaviour directed at a person or people, because of a particular characteristic of that person or people, including the person or peoples' level of empowerment relative to the harasser. The behaviour must be unwelcome and the sort of behaviour a reasonable person would recognize as unwelcome and likely to cause the person to feel offended, humiliated, or intimidated.

**b. Sexual Harassment:**

A person is deemed to have sexually harassed another person (the person harassed) if

- a. the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed, or
- b. the person engages in unwelcome conduct of a sexual nature in relation to the person harassed, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated, or intimidated. "Conduct of a sexual nature" includes making a statement of a sexual nature to a person, or in the presence of a person.

**c. Behaviour Constituting Harassment:**

Can take many different forms and may be explicit or implicit, physical, verbal, or non-verbal.

Examples include, but are not limited to:

- a. jokes or comments directed at a person's body, looks, age, race, religion, sexual orientation, or disability;
- b. abusive behaviour aimed at humiliating or intimidating someone in a less powerful position;
- c. unwelcome remarks including teasing, name-calling, or insults;
- d. innuendo or taunting;
- e. homophobic comments and/or behaviours;
- f. uninvited touching, kissing, embracing or messaging;
- g. unwelcome staring, leering or ogling;
- h. unwelcome smutty jokes and comments;
- i. unwelcome persistent or intrusive questions about a person's private life;
- j. repeated invitations to go out, especially after prior refusal;



- k. unwelcome sexual propositions;
- l. the use of promise or threat to coerce someone into sexual activity;
- m. sexual insults, taunts, or name-calling;

**d. Abuse:**

Abuse can be defined as, but not limited to any act of threat involving molestation, harassment, corporal punishment or any form of physical, sexual or mental abuse; the misuse of power or authority; treatment of an individual or persons in a harmful, injurious, and or offensive manner; speaking insultingly, harshly and /or unjustly to or about another person(s); or committing an act of sexual assault.

Once read, the lower right corner of each page should be initialed by the member to indicate that each page has been read.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Signature)