

Code of Conduct

**for civil servants
and employees
of the State Labour
Inspectorate**



**Inspectoratul
de Stat al Muncii**

Approved by
Order of the Director of the State Labour Inspectorate
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CONTENTS

I. General provisions.....	4
II. Values of the code of conduct	6
III. Rules for implementing the principles of the code of conduct	8
IV. Final provisions.....	15

I. GENERAL PROVISIONS

1. The Code of Conduct for the civil servant and other staff employed by the State Labour Inspectorate (hereinafter referred to as the „Code”) sets out the fundamental principles and binding rules of deontology of the civil servant and other employees of the State Labour Inspectorate (hereinafter referred to as the „Inspectorate”), as well as the rules of service discipline within the Inspectorate.
2. The deontological principles and the rules of service discipline, provided by this Code, are binding for persons holding, temporarily or indefinitely, public positions or positions assigned to other categories of employees (hereinafter referred to as „employees”), within the Inspectorate.
3. The purpose of the Code is to enhance the quality of the administrative act in the performance of professional duties, promote good administration in the public interest, foster a climate of trust and mutual respect among the employees of the Inspectorate, citizens and the employees of the Inspectorate, as well as between other authorities of the central and local public administration, legal bodies, international, non-commercial organizations and the Inspectorate, and prevent disciplinary offences and other violations in workplace relations that might damage the functioning and public image of the Inspectorate, as well as the prestige of the position held as an employee of the Inspectorate.
4. Compliance with the principles set out in this Code is mandatory for all employees of the Inspectorate.
5. The Code was developed based on the following national legal acts and international documents:
 - 1) Law No 140/2001 on the State Labour Inspectorate;
 - 2) Law No 25/2008 on the Code of Conduct for Civil Servants;
 - 3) Law No 158/2008 on Civil service and the Status of the Civil Servant;

- 4) Law No 131/2012 on State Control;
- 5) Law No 133/2016 on the Declaration of Property and Personal Interests;
- 6) Law No 82/2017 on Integrity;
- 7) Government Decision No 788/2013 on the organisation and operation of the State Labour Inspectorate;
- 8) The Global Code of Integrity for Labour Inspection drafted by the International Association of Labour Inspection;
- 9) Model Code developed by the International Labour Organization.

II. VALUES OF THE CODE OF CONDUCT

6. The key values that guide the conduct of the employees of the Inspectorate are the following :

- 1) *legality* - when performing their duties, the employees are obliged to respect the Constitution of the Republic of Moldova, the applicable national legislation, and the international treaties to which the Republic of Moldova is party;
- 2) *professional integrity* - capacity of the Inspectorate's employees to fulfil their professional duties in accordance with the rules and obligations specific to their field of activity, free from undue influence and any form of corruption, while safeguarding the public interest;
- 3) *professionalism* - the performance of duties with responsibility, competence, efficiency, promptness and accuracy, ensured by the continuous enhancement of knowledge and professional competence through continuous learning;
- 4) *independence* - the exercise of duties and powers in accordance with the competencies outlined in the job description and those specific to the hierarchical level within the Inspectorate, free from unlawful interference by other employees of the institution, individuals or authorities;
- 5) *courtesy and respect* - demonstrating fairness, empathy, compassion and understanding in interactions with colleagues and citizens, while showing respect and tolerance for their customs, traditions, cultural heritage, education and other characteristics, including ethnic, social and religion;
- 6) *objectivity, neutrality and fairness* - the duty of the employees of the Inspectorate to ensure impartial and non-discriminatory conduct in all activities, refraining from any form of bias, passion, personal weakness or feelings that may affect the exercise of their duties. This includes adopting a neutral and reserved behaviour, avoiding the expression of personal opinions or beliefs, which should only be disclosed in private settings;

- 7) *collegiality* - the duty of the Inspectorate's employees to promote cooperation, mutual support, and the exchange of professional experience, including sharing of knowledge and skills with junior colleagues, without exerting undue influence on their decisions in the performance of their duties, and to foster a positive working environment and collective commitment to the objectives of the Inspectorate. Inspectorate's employees must refrain from making public comments on the work of colleagues within the Inspectorate, from making offensive or denigrating statements, and from professional discrimination;
- 8) *commitment and responsiveness* – the commitment to the promotion and fulfillment of the mission and values of the Inspectorate, effective planning of activities necessary for the performance of duties, with a focus on assessing their timeliness, efficiency and effectiveness;
- 9) *coherence between personal and professional behaviour* - the duty to adhere to the principles set forth in this Code, both in the performance of duties and in private life, fostering a consistent pattern of behaviour that upholds these principles in all situations, whether in a professional or personal context;
- 10) *confidentiality* - the obligation of the employees of the Inspectorate to refrain from disclosing any data or information acquired in the course of their duties, in strict compliance with the legal framework governing their accessibility.

III. RULES FOR IMPLEMENTING THE PRINCIPLES OF THE CODE OF CONDUCT

LEGALITY:

7. To comply with the principle of legality, the employees of the Inspectorate shall:
 - 1) perform all their duties and tasks in accordance with:
 - a. the Constitution, the laws and regulations of the Republic of Moldova;
 - b. international treaties that the State has ratified;
 - c. internal procedures of the Inspectorate;
 - 2) recognize and respect the basic objective of good inspection practice, which is to promote the establishment and maintenance of a decent, productive, safe and healthy working environment.

INTEGRITY:

8. To comply with the principle of professional integrity, the employees of the Inspectorate:
 - 1) shall have the following obligations:
 - a. resolve any conflict of interest as soon as possible, but not later than the deadline provided by law;
 - b. always perform their duties as a disinterested third party;
 - c. refuse any gifts (presents, subscriptions, favors, commissions, goods, allowances, gratuities, promises or any other advantage), whether intended for their personal benefit or that of their family use, where the offering or receipt of such gifts is directly or indirectly related to the performance of their professional duties (inadmissible gifts) and shall be construed as hindering the performance of their duties;

- d. exercise diligence, impartiality and honesty in their professional activities, and be aware of their responsibility to avoid improprieties or conflicts of interest, identify such situations, and act in accordance with the applicable legislation on integrity and the declaration of personal interests;
 - e. ensure that the public interest is paramount in the performance of their work and refrain from any conduct that might compromise the integrity and trust in the employees of the Inspectorate and in the Inspectorate as an institution;
 - f. prevent nepotism and clientelistic practices;
 - g. use public resources for the public benefit, effectively and efficiently, while ensuring that their use is justified;
 - h. devote their working hours only to implementing the tasks related to the activities of the Inspectorate;
 - i. report in writing any instances of corruption involving clients, other employees of the inspection services, or the relevant institutions overseeing the enforcement of these rules;
 - j. proactively fully disclose any financial or personal interests they may have in their activities as employees of the Inspectorate in relation to a particular entity/inspection which could legitimately be construed as a conflict of interest by colleagues or third parties outside the Inspectorate;
- 2) shall have the following prohibitions:
- a. carry out any other remunerated activity in public authorities, other than the exceptions provided for by the legislation on civil service and civil servant status;
 - b. carry out any other remunerated activity under an individual employment contract or another civil law contract, in commercial and non-commercial companies, public or private, whose activities are controlled or which, in some respect, fall within the competence of the Inspectorate, with the exceptions provided for by law;
 - c. establish, operate or have any personal interest in external occupational safety and health service providers, training centers or any other types of commercial companies, providing business and management consultancy services or any other related services;

- d. provide training or consultancy services for private sector actors;
- e. to carry out remunerated activities as experts/consultants involved in projects implemented abroad, unless the employment relationship is suspended for the respective period of work within the project in accordance with the law;
- f. use the service car for personal purposes;
- g. transmit or use confidential information obtained in the performance of their duties, for personal gain or other advantages;
- h. respond to challenges or insults addressed by any person with whom they come into contact in the exercise of their duties;
- i. participate in any kind of activities aimed at supporting or promoting political parties and other socio-political organisations, including participating in fundraising for the activities of political parties and other socio-political organizations, use or facilitate the use of administrative resources to support electoral candidates in central or local elections, displaying symbols or objects with the emblems or names of political parties or their candidates in the premises of public authorities.

PROFESSIONALISM:

- 9. To comply with the principle of professionalism, the employees of the Inspectorate shall:
 - 1) perform their duties with responsibility, competence, efficiency, promptness, and accuracy;
 - 2) be responsible for the performance of their duties to their direct superior, hierarchical superior and the public authority;
 - 3) continuously improve their professional knowledge and skills, and strive to improve services provided by the Inspectorate.

INDEPENDENCE AND HONESTY

- 10. To comply with the principle of independence and honesty, the employees of the Inspectorate shall:
 - 1) provide opinions, observations or conclusions for official purposes only after all relevant facts and appropriate professional considerations have been considered;

- 2) make decisions independently and objectively according to their knowledge and personal experience;
- 3) exercise their duties in accordance with the provisions of the legislation in force, without fear of reproach, by providing impartial, professional, honest and apolitical services, decisions and advice.

COURTESY AND RESPECT:

11. To comply with the principle of courtesy and respect, the employees of the Inspectorate:

- 1) shall have the following obligations:
 - a. approach people and issues with tolerance and responsiveness;
 - b. respect people with whom they come into contact in the performance of their duties, regardless of their roles and status;
 - c. treat all individuals with respect and dignity, ensuring a safe and respectful environment for everyone with whom they interact in the performance of their duties;
- 2) shall have the following prohibitions:
 - a. act in bad faith, or on the basis of prejudice or personal bias when making decisions;
 - b. abuse their power or exceed their official duties;
 - c. tolerate, engage in or condone any form of harassment;
 - d. engage in activities that are incompatible with their job description and the provisions of this Code, and which could compromise the reputation of the Inspectorate and their profession.

OBJECTIVITY, NEUTRALITY AND FAIRNESS:

12. To comply with the principle of objectivity, neutrality and fairness, the employees of the Inspectorate shall:

- 1) treat their colleagues and community with respect and courtesy, respecting the dignity of the people with whom they interact and taking into account their cultural and spiritual beliefs;

- 2) demonstrate fairness and non-discrimination towards people with whom they interact in the performance of their duties, promote equity and diversity both in the workplace and in the community.

COLLEGIALITY:

13. To comply with the principle of collegiality, the staff of the Inspectorate shall:

- 1) always uphold professional values in their workplace, collaborate closely with colleagues to better understand and carry out their duties for the benefit of the Inspectorate and the people with whom they interact;
- 2) consult with colleagues who have the appropriate expertise on the issues in question when required;
- 3) during joint inspections:
 - a. clearly delineate their areas of competence in relation to those of inspectors from other inspection bodies;
 - b. consult with colleagues on issues outside their specialisation;
 - c. communicate consistently with those who are subject to the inspection and present unified and coordinated findings;
 - d. strive to be an active employee of the Inspectorate, making proposals where appropriate and participating in activities aimed at improving the performance of the institution;
 - e. demonstrate team spirit and support the professional efforts of colleagues, within the limits of available time and participation.

14. In accordance with the principle of collegiality, every employee of the Inspectorate holding a managerial position is obliged to:

- 1) promote the standards of professional ethics of the staff of the Inspectorate and ensure these standards are respected by colleagues who report to them, including by means of the example of their own integrity;
- 2) ensure equal opportunities and treatment in relation to the career development of colleagues who report to them;

- 3) examine and apply objectively the criteria for assessing the professional competence of employees who report to them when proposing or approving promotions, transfers, appointments or dismissals, or awarding material or moral incentives, and exclude any form of favouritism or discrimination;
- 4) identify professional development needs and take steps to enhance the professional performance and integrity of colleagues who report to them;
- 5) ensure protective measures, as set out in the regulatory framework, are applied in case of colleagues who have submitted a whistleblowing report;
- 6) ensure that employees who report to them are aware of appropriate standards of ethical and professional behaviour;
- 7) ensure colleagues who report to them are aware of and apply the provisions of the normative acts;
- 8) ensure that colleagues who report to them show a caring attitude to the material goods they manage, and highlight and remove the causes and conditions that may result in their loss or damage;
- 9) avoid kinship, affinity or other discriminatory criteria in access to or promotion in public office or other position within the Inspectorate;
- 10) take the necessary measures to prevent the involvement of the employees in acts that impinge on professional and institutional integrity;
- 11) be objective and demanding towards colleagues who report to them and support their initiatives in line with the institution's mission, aims and functions;
- 12) help develop an attitude of intolerance towards breaches of service discipline.

COMMITMENT AND RESPONSIVENESS:

15. To comply with the principle of commitment and responsiveness, the employees of the Inspectorate shall:
 - 1) recognise that the mission of the Inspectorate is to ensure the compliance with the provisions of the normative acts in the field of labour, occupational safety and health, and migration for work purposes, in order to create decent working conditions, ensure the protection, health and welfare of employees;

- 2) acknowledge that the work of the Inspectorate is primarily preventive in nature, and therefore, its staff must focus their efforts on supporting entities within its areas of competence in order to create and maintain good working conditions that proactively prevent deficiencies related to employment in the labour field;
- 3) set a good example through their own behaviour in the exercise of their duties;
- 4) continue any mission until the objectives are achieved or can no longer be reasonably achieved, respecting the provisions of the labour legislation, the legislation on state control and the legislation regulating the activity of the Inspectorate;
- 5) respond to the diverse needs of entities in a timely and open manner.

CONSISTENCY BETWEEN PERSONAL AND PROFESSIONAL BEHAVIOUR:

16. To comply with the principle of coherence between personal and professional behaviour, the employees of the Inspectorate:

- 1) shall have the following obligations:
 - a. acknowledge, at all times, that they represent a position that should build and maintain a public image of trust, honesty and courtesy both for the Inspectorate and for the position held;
 - b. secure and respect the overriding public interest in the performance of their official duties;
 - c. behave in a manner that does not disrepute to the Inspectorate or the position they hold, thus maintaining a position of respect in the community towards the institution and its staff;
 - d. behave beyond any criticism;
- 2) shall have the following prohibitions:
 - a. breach any legal requirements during and outside working hours;
 - b. engage in any other activity or accept rewards in breach with the provision of law;
 - c. engage in any activity or relationship that creates a conflict with their position and duties.

IV. FINAL PROVISIONS

17. The provisions of this Code form part of the working conditions of the employees of the Inspectorate.
18. Upon their recruitment, candidates for positions within the Inspectorate, shall be aware of the provisions of the Code and assume full responsibility for their compliance.
19. Incentives and opportunities for professional development and career advancement serve to motivate the employees of the Inspectorate to conduct themselves professionally in an impeccable manner and, to exercise their tasks and duties efficiently and in full. Should the employees of the Inspectorate breach the provisions of this Code, they shall be liable to disciplinary, contraventional and criminal liability.
20. Incentives and disciplinary liability of Inspectorate's employees are set out in the national legal framework.
21. All cases of suspected violations of this Code shall be reviewed by the Disciplinary Committee of the Inspectorate.
22. The Human Resources Sub-Division is required to inform Inspectorate employees about the provisions of this Code, and the employees are required to assume responsibility for their compliance.



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