

Occupational Health and Safety Council

Code of Conduct

for a

Public Agency

Occupational Health and Safety Council

CODE OF CONDUCT

I. Preamble

The Code of Conduct (Code) for the Occupational Health and Safety Council applies to all members and employees. The Code reflects a commitment to the agency's values and provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the agency. Members and employees are expected to behave in a way that aligns with this Code. They understand that this Code does not cover every specific scenario. Therefore, they use the spirit and intent behind this Code to guide their conduct, and exercise care and diligence in the course of their work with the agency.

To demonstrate commitment to transparency and accountability, this Code is available to the public on the agency's website.

II. Core Values

- a. Members and employees act with impartiality and integrity.
- b. Members and employees demonstrate respect and accountability.
- c. Members and employees operate in a fair and open manner.

III. Guiding Principles

These principles guide the behaviour and decisions of members and employees:

- a. The actions and decisions of members and employees are made to promote the public interest and to advance the mandate and long-term interests of the agency.
- b. Members and employees are responsible stewards of public resources.
- c. To serve the public interest, members and employees have a responsibility to uphold the agency's mandate.
- d. Members and employees have a responsibility to act in good faith and to place the interests of the agency above their own private interests.

- e. Members and employees behave in a way that demonstrates that their behaviour and actions are fair and reasonable in the circumstance.
- f. Members and employees enjoy the same rights in their private dealings as any other Albertan, unless it is demonstrated that a restriction is necessary in the public interest.
- g. When a member or employee, as an individual, is subject to more than one code of conduct, the member or employee must consider the expectations in all. Members and employees understand that this Code is not intended to conflict with other Codes of Conduct, and will discuss any potential conflicts with the Agency Chair or in absence of Chair, the Vice Chair.
- h. The Code applies to all members and employees unless a specific exemption is granted by the Chair in writing.
- i. Members and employees know that when they become aware of a real or apparent conflict of interest, they must at the first opportunity disclose this conflict to the Agency Chair or in absence of Chair, the Vice Chair.
- j. Members and employees understand that disclosure itself does not remove a conflict of interest.
- k. Members and employees encourage their colleagues to act fairly and ethically and know that they are able to raise concerns about a suspected breach by another to the Agency Chair, or in absence of Chair, the Vice Chair without fear of reprisal.
- l. Members and employees know that breaches of this Code may result in disciplinary action, up to and including removal of the member or termination of the employee.
- m. Members and employees know that if they have any questions about the Code, or are not sure how to apply these principles, they should consult with the Agency Chair, or in absence of the Chair, the Vice Chair.
- n. Each member and employee confirms annually their understanding of, and commitment to, the Code's expectations.

IV. Behavioural Standards

Behavioural standards help members and employees make appropriate decisions when the issues they face involve ethical considerations. Behavioural standards cannot cover all scenarios but provide guidance in support of day-to-day decisions. All members and employees must adhere to the following standards:

- a. Members and employees must not engage in any criminal activity and comply with all relevant laws, regulations, policies and procedures.

- b. Members and employees must not use their status or position with the agency to influence or gain a benefit or advantage for themselves or others.
- c. Member and employee conduct contributes to a safe and healthy workplace that is free from discrimination, harassment or violence.
- d. Members and employees must not use drugs or alcohol in a way that affects their performance and safety or the performance and safety of their colleagues, or that negatively impacts the reputation or operations of the agency.
- e. Members and employees must act in a way that is consistent with the agency's protocols on public comment.
- f. Members and employees must take reasonable steps to avoid situations where they may be placed in a real or apparent conflict between their private interests and the interests of the agency. In other words, actions or decisions that members and employees take on behalf of the agency must not provide them with an opportunity to further the private interests of themselves, their families, their business associates or others with whom they have a significant personal or business relationship.

1. Confidential Information

Members and employees must respect and protect confidential information, use it only for the work of the agency and do not use it for personal gain. Members and employees must comply with protocols that guide the collection, storage, use, transmission and disclosure of information.

2. Gifts and Gratuities

Members and employees must not accept or receive gifts and gratuities other than the normal exchange of gifts between friends or business colleagues, tokens exchanged as part of protocol or the normal presentation of gifts to people participating in public functions.

3. Outside Activities

Members and employees must avoid participating in outside activities that conflict with the interests and work of the agency. For example:

- i. **Business Interests:** Members and employees must not hold interests in a business directly or indirectly through a relative or friend that could benefit from, or influence, the decisions of the agency.
- ii. **Employment:** Members must not take employment, and employees must not take supplementary employment, that affects their performance or impartiality with the agency.
- iii. **Political Activity:** Members and employees may participate in political activities including membership in a political party, supporting a candidate for elected office or seeking elected

office. However, they must not participate directly in soliciting contributions for a political party. In addition, any political activity must be clearly separated from activities related to the work for the agency, must not be done while carrying out the work of the agency and must not make use of agency facilities, equipment or resources in support of these activities.

iv. **Volunteer Activity:** If members and employees are involved in volunteer work, the activity must not influence or conflict with decisions relating to the agency.

4. Pre-Separation

Members and employees considering a new offer of appointment or employment must be aware of and manage any potential conflicts of interest between their current position and their future circumstance, and must remove themselves from any decisions affecting their new appointment or employment.

5. Post-Separation

Once members and employees have left the agency, they must not disclose confidential information that they became aware of during their time with the agency and must not use their contacts with their former colleagues to gain an unfair advantage for their current circumstance.

6. Property

Members and employees may have limited use of the agency's premises and equipment for authorized incidental purposes providing such use involves minimal additional expense to the agency, must not be performed on the member or employee's work time, must not interfere with the mission of the agency and must not support a personal, private business.

7. Related Persons or Parties

Members and employees must avoid dealing with those in which the relationship between them might bring into question the impartiality of the member or employee.

V. **Administrative Processes**

Administrative processes help members and employees manage ethical dilemmas, including any real or apparent conflict of interest concerns.

a. Administration

The Code Administrator for members and the employees is the Agency Chair. The Code Administrator responsibilities for the Chair are shared between the Agency Vice Chair and the Executive Director, Occupational Health and Safety (OHS) Policy and Program Development, Human Services:

- the Vice Chair receive disclosures from the Chair;

- the Executive Director, OHS Policy and Program Development, Human Services provides advice to the Chair about whether a proposed activity by the Chair would be a breach of this Code; and
- the Minister can request that the Executive Director, OHS Policy and Program Development, Human Services investigate alleged breaches of the Code by the Chair or any member.

The Code Administrator receives and ensures the confidentiality of all disclosures and ensures that any real or apparent conflict of interest is avoided or effectively managed. As well, the Code Administrator is responsible for providing advice and managing all concerns and complaints concerning potential breaches of the Code, including conflicts of interest within the agency. Even though an agency may have a delegated process for responding to and managing concerns, the Code Administrator is responsible for ensuring procedural fairness.

b. Disclosure

It is the responsibility of each member and employee to declare in writing to the Code Administrator those private interests and relationships that they think could be seen to impact the decisions or actions they take on behalf of the agency. When there is a change in their responsibilities within the agency or in their personal circumstance, members and employees shall disclose in writing any relevant new or additional information about those interests as soon as possible. Where a real or apparent conflict of interest cannot be avoided, members and employees must take the appropriate steps to manage the conflict.

Members and employees disclose these real or apparent conflicts of interest so that the Code Administrator is aware of situations that could be seen as influencing the decisions or actions they are making on behalf of the agency. This provides members and employees, following a review by the Code Administrator, an opportunity to take action to minimize or remove the conflict. To actively manage a conflict of interest, options include:

- removing themselves from matters in which the conflict exists or is perceived to exist;
- giving up the particular private interest causing the conflict; and,
- in rare circumstances, resigning their position with the agency.

c. Reporting a Potential Breach by Another

Members and employees are encouraged to report in writing a potential breach of this Code by another to their supervisor for employees or the Code Administrator for members and employees. When reporting a potential breach in good faith and with reasonable grounds, members and employees are protected from retaliation for such reporting.

d. Responding to Potential Breach

Once a potential breach has been reported, the agency's procedures for responding to and managing a potential breach will be promptly initiated. The Code Administrator will review the circumstance and details of the potential breach and will notify the alleged member or employee. The alleged member

or employee has the right to complete information and the right to respond fully to the potential breach. The identity of the reporter will not be disclosed unless required by law or in a legal proceeding. The Code Administrator makes the final internal decision and completes a report of the review in a timely manner. The decision may range from finding no potential breach to one that reveals suspected criminal conduct.

- e. Consequences of a Breach
Members and employees who do not comply with the standards of behaviour identified in this Code, including taking part in a decision or action that furthers their private interests, may be subject to disciplinary action up to and including removal of the member or termination of the employee.
- f. Review of a Decision
Members and employees can request in writing that the Executive Director, OHS Policy and Program Development, Human Services review a decision that has been made by the Code Administrator about a real or apparent breach of the Code, including a conflict of interest involving that member or employee.

VI. Other Resources

- a. Where to Get Advice
When members and employees require advice and guidance in determining whether misconduct or a conflict exists, or need clarification, they may discuss their issue with:
- an employee supervisor; or
 - the Code Administrator for members and employees.
- b. Questions to Consider
When members and employees are faced with a difficult situation, the following questions may help them decide the right course of action:
- Have I reflected on or consulted with my supervisor or the Code Administrator about whether I am compromising the Code's values, principles or behavioural standards?
 - Have I considered the issue from a legal perspective?
 - Have I investigated whether my behaviour aligns with a policy or procedure of the agency?
 - Could my private interests or relationships be viewed as impairing my objectivity?
 - Could my decision or action be viewed as resulting in personal gain, financial or otherwise?
 - Could my decisions or actions be perceived as granting or receiving preferential treatment?

VII. Affirmation

The Code of Conduct for the Occupational Health and Safety Council was introduced on December 14th, 2009, revised August 2011 and is reaffirmed annually by the Board to ensure it remains current and relevant.