

Code of Conduct¹

Introduction

The Natural Resources Conservation Board's (NRCB) Code of Conduct is an expression of the NRCB's intent to uphold the highest ethical standards so that public trust and confidence in the integrity, objectivity and impartiality of the NRCB and the regulatory system are preserved and enhanced.

Basic Principles

The people of Alberta and the industries under the jurisdiction of the NRCB have a right to fairness, competence, and quality service from the NRCB.

- NRCB employees will treat members of the public and one another fairly.
- NRCB employees will exercise integrity, impartiality and objectivity when performing their duties.
- NRCB employees will ensure that confidentiality of information or documents is maintained.
- NRCB employees will not use their public role for private gain.
- NRCB employees will not have any financial interest in any business that submits a project application to the NRCB for review under the *Natural Resources Conservation Board Act*.
- NRCB employees that have financial interests in any agricultural operation shall provide a complete written disclosure of the nature of that interest to the Chair, and in the case of the Chair, to the board.

Application of the Code of Conduct

This code applies to all Board members and employees of the NRCB.

In addition, Board members must meet the requirements of the Ethics Commissioner for the Province of Alberta and any applicable legislation.

Obligations

Disclosure

Employees must disclose to the CEO/Chair at the earliest opportunity any situation in which their involvement is a real or perceived conflict of interest.

Conflicts not specifically addressed in this code must be dealt with according to the principles and intent of the code.

Employees have a responsibility to report acts of fraud, misconduct, and real or perceived conflict of interest on the part of other employees to the CEO/Chair. The name of the employee reporting such information is kept confidential.

Impartiality

When exercising regulatory, inspection, approval, or other discretionary authority over others, employees are required to exercise impartiality and objectivity.

Competence and Integrity

Employees must be professionally competent and will upgrade their competence as required to carry out their job responsibilities.

Employees are required to serve the public, the NRCB, and others in a conscientious, diligent, and efficient manner.

¹ Excerpted from the Natural Resources Conservation Board's Human Resources Policies and Benefits Manual, June 2010

Employees are required to discharge their job responsibilities with integrity and trustworthiness.

Confidentiality

Employees must ensure that confidential information or documents are not directly or indirectly made available to unauthorized persons.

Employees who make statements on behalf of the NRCB through speech or written documents must ensure they maintain the confidentiality of information or documents.

Employees must adhere to the requirements of the *Freedom of Information and Protection of Privacy Act*.

Furthering Private Interests

Employees are in conflict of interest and in violation of the Code of Conduct if they:

- take part or are perceived to take part in a decision in the course of carrying out their duties, knowing that the decision might further a private interest of themselves, their spouse or minor child.
- use their public role or are perceived to use their public role to influence or seek to influence an NRCB or government decision that could further a private interest of themselves, their spouse or minor child.
- use or communicate information or are perceived to use or communicate information not available to the general public that was gained in the course of carrying out their duties to further or seek to further a private interest of themselves, their spouse or minor child.

Investments and Management of Private Assets and Interests

NRCB employees may not have any direct or indirect monetary or financial interest in the following:

- forestry, recreation, tourism, mining industries, water management operations or corporations that either will require or have received approval under the *Natural Resources Conservation Board Act*.
- confined feeding operations.

In addition to these restrictions, employees have a responsibility to consider whether or not their own, their spouse's, or their minor child's investments – including directly owned stocks – create a real or perceived conflict of interest with their work and, if at all possible, to avoid conflict or remove themselves from the conflict.

Employees who may have an interest in an agricultural operation other than a confined feeding operation or in a business that provides services to agricultural operations must provide a written disclosure to the CEO/Chair. Employees understand that such information may be publicly disclosed by the NRCB, if the NRCB identifies a need to transparently disclose the nature of the potential conflict and the approach taken to avoid any allegation of impropriety.

Employees concerned about possible conflicts of interest in this area should submit a disclosure to the CEO/Chair, who will then determine whether a conflict exists and what action, if any, should be taken.

The following types of assets and interests are not subject to disclosure:

- annuities and life insurance policies.
- guaranteed investment certificates.
- registered retirement savings plans, mutual funds, pension plans, registered savings plans under federal or provincial government programs, provided the employee has no control over decisions of the plan, fund, or other vehicle to buy, sell, or hold those underlying securities.
- Canada Savings Bonds (and any other security investments of fixed value issued or guaranteed by the federal or provincial government).
- cash and deposits.
- works of art, antiques, collectables, vehicles, household goods, personal effects.

Political Activity

Employees who run as candidates in a municipal, provincial or federal election must take a leave without pay commencing on the day after the writ for the election is issued or on the day that their candidacy is publicly announced, whichever is later. If elected, the employee must resign their employment. If not elected, the employee is entitled to return to the same or similar employment.

Employees must not participate directly in soliciting contributions for a political party, unless on a leave of absence as outlined above.

Public Statements

Employees must be mindful of the impartiality that is expected to accompany their roles as representatives of an independent regulatory agency. Upholding that organizational responsibility carries with it individual responsibility as employees, towards ensuring their conduct, in the course of their job duties and related to their involvement with the industries the NRCB reviews and regulates, matches the interests of the organization.

It should be clear that where and when employees identify themselves or are identified as employees of the NRCB, whether in writing, verbally, or where recognized as an NRCB representative, employees' personal views and opinions towards the industries reviewed and regulated by the NRCB, and the manner in which the NRCB conducts these responsibilities, should not be expressed such that they could be interpreted as those of the organization.

The NRCB respects that it is the right of each of its employees to hold individual views and opinions, and to share those views and opinions as a member of the public. However, it is important to recognize that personal views do not represent and may not necessarily reflect those of the organization, and that those views, if publicly advanced, may be contrary to the position of the NRCB.

Employees are encouraged to seek guidance from their managers concerning statements or submissions that they may make or be requested to make, and to disclose to their manager, occasions or initiatives for which they are considering expressing opinions or views or are asked to comment on a topic or issue of relevance to the organization and its regulatory activities.

Trade Knowledge and Intellectual Property

Any product or technology developed by employees in the performance of their job responsibilities is the property of the NRCB.

Employees must respect the property, knowledge and intellectual property rights of customers, suppliers and others.

Employees must respect copyright and license agreements.

Acceptance of Gifts

Employees must not accept fees, gifts, or other benefits that are connected directly or indirectly with the performance of their NRCB duties, other than of small monetary value in the normal exchange of hospitality between persons doing business together; tokens exchanged as a part of protocol; or normal presentation of gifts in public functions, awards, presentations or seminars.

Outside Employment and Volunteer Activities

Employees may take supplementary employment, including self employment, and participate in volunteer activities while employed at the NRCB, unless such pursuits:

- cause an actual or perceived conflict of interest.
- are performed in such a way as to appear to be an official act, or to represent an NRCB opinion or policy.
- interfere with regular duties.
- involve the use of the NRCB premises and equipment except as stated under "Use of NRCB Premises and Equipment."

Use of NRCB Premises and Equipment

Limited use for non-NRCB purposes is permitted if minimal additional expense is incurred and such use does not support a personal private business.

Employees are responsible for ensuring that personal information and documents stored on NRCB equipment or kept in NRCB premises is appropriate for workplace standards. Employees must also be aware that the NRCB cannot guarantee the privacy of personal information and documents on NRCB equipment or in NRCB premises.

Employees who have permission to use NRCB equipment in their home are expected to delete all personal information and documents from the equipment before it is returned to the NRCB.

Discrimination

Employees must not discriminate against another employee or a member of the public, as stated in the *Alberta Human Rights Act*.

Employment of Relatives

An employee will disqualify themselves from the selection, hiring, or direct supervision of relatives or any other individuals that could raise a question regarding their impartiality.

Adherence to NRCB Policies

Employees must know and adhere to the policies contained in the NRCB Human Resources Policies and Benefits Manual.

Post-Employment Restrictions

A former employee will not use or give to others confidential information obtained while employed at the NRCB.

The NRCB retains for itself all proprietary rights to all new intellectual property arising out of the services the employee provided while employed at the NRCB.

Administration of the NRCB Code of Conduct

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The CEO/Chair administers and issues instructions as necessary for the implementation of the code.

The CEO/Chair may issue supplementary instructions that modify but do not detract from matters dealt with in this code, provided that the supplemental matters are not more permissible than this code.

The CEO/Chair may request that electronic communication be monitored if a breach of the code or an allegation of harassment has been made.

Employees who do not comply with any provisions of this code may be subject to disciplinary action, up to and including dismissal.

Resolution in Breach of Code of Conduct

Any complaints with respect to the breach of the Code of Conduct, whether originating internally or externally, and made against the:

- operations staff, must be directed to the CEO for a decision.
- board staff, must be directed to the Chair for a decision.
- CEO, must be directed to the Chair for a decision.
- board members except the Chair, must be directed to the Chair for a decision.
- Chair, must be directed to the Ethics Commissioner.

An employee may appeal a ruling by the CEO/Chair. The appeal is made to a neutral party appointed by the CEO/Chair that is acceptable to both parties.