

ENERGY EFFICIENCY ALBERTA

CODE OF CONDUCT

I. Preamble

The Code of Conduct (Code) for Energy Efficiency Alberta 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 a commitment to transparency and accountability, this Code is available to the public on the agency's website.

The Code Administrator for members and the Chief Executive Officer (CEO) is the Chair.

The Code Administrator for agency employees other than the CEO is the CEO.

The Code Administrator for the Chair is the Vice-Chair, who receives disclosures from the Chair and responds to an allegation that the Chair has breached this Code.

A member includes directors, the CEO, and employees of the agency.

II. Core Values

- a. Members and employees act with impartiality and integrity.
- b. Members and employees demonstrate respect and accountability.

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 for 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 their supervisor or the Code Administrator.
- h. The Code applies to all members and employees unless a specific exemption is granted by the Code Administrator.
- 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 their supervisor or the Code Administrator.
- 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 their supervisor or the Code Administrator 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 their supervisor or the Code Administrator.
- n. Each member and employee confirm on an annual basis 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, their families, their business associates or others with whom they have a significant personal or business relationship.
- 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

There must not be a conflict between the private interests of members and employees, and their responsibility to the agency. A conflict of interest is any situation in which a member or employee, either for themselves or some other person or organization, attempts to promote a private or personal interest which results, or appears to result, in:

- i. an interference with the objective exercise of the member or employee's responsibilities;
- ii. an opportunity or advantage by virtue of the member or employee's position with the agency.

Conflicts of interest could arise from business interests, external employment, political activity, or volunteer activity. Above all, members and employees are expected in all regards to conduct their duties with impartiality.

Where an actual or proposed business or financial interest of a member or employee, or of a member or employee's adult interdependent partner or minor children is affected, appears to be affected or may be affected by actions taken or decisions made in which the member or employee participates in the course of their appointment, they shall disclose the interest to the Code Administrator.

With respect to the Board, members will either:

- iii. recuse themselves from discussion that they believe presents a conflict of interest; or
after disclosing their interest to the Code Administrator, accept the Code Administrator's decision to recuse the member from the discussion.

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 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 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 a decision and completes a report 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**

An employee can request in writing that the Chair review the decision made by the Code Administrator (the CEO) that they have breached the agency's Code of Conduct.

A member can request in writing that the Minister review the decision made by the Code Administrator (the Chair) that they have breached the agency's Code of Conduct.

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 Administrators 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 Energy Efficiency Alberta was affirmed by the Board on November 10, 2016 and is reaffirmed annually by the Board to ensure it remains current and relevant.

APPROVED by the Minister of Environment and Parks on the 13 day of

April, 2017.



Honourable Shannon Phillips
Minister of Environment and Parks



Employee Acknowledgement

I acknowledge receipt of this Code of Conduct. I certify having read the above policies and regulations, fully understand the content, and agree to respect them in their entirety. Any infraction to these policies and regulations is liable to disciplinary measures, which may result in termination of employment, breach of contract and legal action by Energy Efficiency Alberta.

Employee Name (please print)

Employee Signature

Date Signed

HR Signature (please print)

