

# Code of Conduct



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## I. Preamble

The Alberta Environmental Monitoring, Evaluation and Reporting Agency (AEMERA) is an arm's length provincial agency responsible for measuring, assessing and informing the public on the condition of Alberta's environment on key ambient air, water, land and biodiversity indicators including information necessary to understand cumulative effects. As outlined in the *Protecting Alberta's Environment Act*, establishing the Agency, AEMERA's core responsibilities include:

- Plan, co-ordinate and conduct environmental monitoring
- Collect, store, manage, analyze and evaluate environmental monitoring data,
- Report on the status and trends related to the condition of the environment on the basis of the evaluation of the data collected
- Make environmental monitoring data and related evaluations and assessments publicly available
- Develop standards respecting environmental monitoring
- Establish advisory committees or panels respecting environmental monitoring
- Carry out other activities determined by the Minister

This purpose and the principles of the Agency are the foundation for this Code of Conduct ("Code"). All Board employees and directors of the Agency's Board of Directors ("directors") are expected to behave in a manner consistent with the Agency's purpose and principles and reflect a commitment to the Core Values articulated below. This Code provides a framework to guide ethical conduct in a way that upholds the integrity and reputation of the Agency.

This code will need to be supported with a comprehensive set of policies and directives that provide additional clarity and specific direction on key issues. However, it is not possible to write a Code that covers every scenario and employees and directors should be guided by and make decisions that reflect the spirit and intention of this Code. If any employee is in doubt they should seek advice, as timely disclosure is always the best course of action.

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

## II. Agency Principles

The Province of Alberta aspires to develop and operate a holistic environmental monitoring, evaluation, and reporting system. As the agency responsible for delivering that system, AEMERA must be grounded in science and committed to operational excellence.

The following principles provide an important foundation and have guided the development of the Agency from its inception. Employees and director are expected to behave in a manner that upholds these principles.

- Data and information provided by AEMERA must be **scientifically sound, free of bias**, and perceived bias, and uncontrolled by any stakeholders.
- Information provided by AEMERA must **meet the need of many stakeholders**, and must be easy to access and understand.
- AEMERA is recognized for **working respectfully and collaboratively** with its stakeholders and other organizations.
- AEMERA **demonstrates excellence and fosters continuous improvement** in all of its organizational and operational activities.

### III. Core Values

The core values of the culture of the Agency must be consistent with AEMERA's principles and will be seen in the way in which people act with each other in their public role. To guide these interactions, the values of the Agency and the behaviours of its employees and directors must reflect:

- (a) **Adept:** We are recognized experts in our individual disciplines; we are quick-thinking, nimble and able to adapt when required.
- (b) **Balanced:** We work hard and we also have fun.
- (c) **Collaborative:** We seek out mutually beneficial partnerships and working relationships.
- (d) **Creative:** We challenge conventional thinking and recognize that just because it has been done this way before does not mean this is the best way to do it.
- (e) **Passionate:** We care deeply about the environment and about Alberta, and exist to make a difference.
- (f) **Respectful:** We treat others with respect, ensure they are valued, heard and included.

These values will mature as AEMERA develops and grows and the Agency may decide to revisit these from time to time, to reflect its ongoing commitment to excellence and integrity.

### IV. Accountabilities

AEMERA, as a public institution, has to be accountable for its actions. Not only must we do a good job, we must be seen to have done a good job as well. This typically involves three levels of accountabilities.

### **Accountability to the Public**

Everything done by people related to AEMERA must be able to stand the test of legislative scrutiny, public judgments on propriety and professional codes of conduct.

### **Accountability to AEMERA**

Individuals are expected to take responsibility for their own actions. This means being accountable to our Province, our stakeholders, AEMERA itself as an organization, each other and to the public at large. This includes:

- a. Doing what we say we are going to do
- b. Evaluating and improving the quality and effectiveness of our services and the outcomes of our decisions
- c. Promoting excellence, innovation and continuous improvement
- d. Recognizing our limitations and seeking help and guidance when needed
- e. Taking responsibility for our own actions and expect the same of others

### **Accountability to the Province**

AEMERA was created by the Province of Alberta for the express purpose of providing a service to stakeholders. The very purposes of AEMERA are codified in its governing legislation, which is created by the Province. As such, we must be accountable to the Province of Alberta and be receptive to its needs and goals, in the discharge of our duties.

## **V. Guiding Philosophy**

The following is intended to help guide the behaviour and decisions of employees and directors to promote a safe, ethical, and transparent workplace:

### **Public Interest**

Directors and employees need to consider that their actions and decisions must be made with the public interest and the mandate of AEMERA in mind. They are accountable for using provincial funding and resources and should uphold and be seen to uphold the highest standards of public life. This means acting in a way that promotes the public interest first and foremost.

### **Conflict of Interest**

This Code of Conduct is not meant to overwrite or supersede other Codes to which a director or employee may be required to follow. When there is a conflict or a possible perception of conflict, the advice of your supervisor, the Code Administrator or Human Resources should be sought.

Occasionally, director or employee interests outside of the Agency may be perceived as being in conflict with the mandate or interests of AEMERA. In these cases, disclosure and advice should be sought as soon as possible.

Additionally, any director or employee who is party to a material contract or proposed material contract with AEMERA; or is a Director or officer of or has a material interest in any person who is a party to a material contract with AEMERA, shall disclose in writing to the Board or request to have entered into the minutes of the meetings of the Board the nature and extent of the Director's interest, including real and apparent interests.

In the event that the affected person is a director, this disclosure shall be made:

- (a) at the meeting at which a proposed contract is first considered;
- (b) if the Director was not then interested in a proposed contract, at the first meeting after the Director becomes so interested;
- (c) if the Director becomes interested after a contract is made, at the first meeting after the Director becomes so interested; or
- (d) if a person who is interested in a contract later becomes a Director, prior to the appointment being made.

In the event that the affected person is an employee, this disclosure shall be made:

- (a) prior to the decision makers considering the particular matter for AEMERA, meet or deliberate the proposed contract;
- (b) if the employee was not then interested in a proposed contract when the decision makers of AEMERA initially met, at the first meeting of the decision makers after the employee becomes so interested;
- (c) if the employee becomes interested after a contract is made, at the first meeting of the decision maker after the employee becomes so interested; or
- (d) if a person who is interested in a contract later becomes a Director, prior to the appointment of a Director being made.

A director or employee referred to above shall withdraw from the meeting during any discussion or voting of any motion relating to their material interest. If the individual does not voluntarily withdraw they will be asked to do so by the chair of the meeting.

### **Openness and Transparency**

Directors and employees should encourage their colleagues to act fairly and ethically. This is best done through demonstrating the behaviours that they expect others to follow. A director or employee must be able to raise a concern about a suspected breach without fear of reprisal.

## **VI. Behavioural Standards**

The Agency's commitment to being open and transparent is also reflected in our Behavioural Standards, which help directors and employees make appropriate decisions when they face issues that involve ethical considerations.

### **Setting a Minimum Standard**

As a minimum, directors and employees will comply with all relevant laws, regulations, policies and procedures, so that a safe and healthy workplace free from discrimination, harassment and violence is provided for all.

### **Integrity**

Employees and directors are the public face of the Agency and through their actions; the culture of AEMERA is established. A clear demonstration of how employees and

directors can display the highest standards of integrity is in the management of real or perceived conflict between their public role and private life. This means that words, actions or decisions should be to benefit AEMERA. Where there is or may be seen to be a private interest, to themselves, families, friends or associates, the employee or director should remove themselves from making the decision and they must declare the conflict of interest. This is also extended to holding business interests, employment, political or volunteer activity where there may be or there is a perception of a conflict of interest.

### **Confidentiality**

As a part of the work of the Agency, employees and directors will come in to contact with confidential information. Public confidence in AEMERA's ability to meet its mandate will be undermined if this information is not managed appropriately. Information should only be used for the work of the Agency and not be used for personal gain. Clear protocols guide the collection, storage, use, transmission and disclosure of information. These must be followed. Employees and directors should consider that these protocols are still important if they ever leave AEMERA and they should not divulge any confidential information after they have left.

### **Gifts and Gratuities**

AEMERA's value of impartiality could be undermined if an employee or director were to inadvertently accept a gift or gratuity. AEMERA will help protect employees and directors by publicly setting out that gifts will not be accepted. Where employees and directors are offered a gift or gratuity, they should not place themselves and AEMERA in an awkward position by accepting these, but be careful in not causing offence by outright refusal to accept to what may be a genuine act of appreciation. Employees and directors may find that a polite refusal and suggestion that the gift or gratuity be given to charity would be sufficient.

Exceptions will be made where the receipt or exchange of gifts are part of the normal exchange of gifts between friends or business colleagues or where token gifts are exchanged as part of protocol or presentation to people participating in public functions.

## **VII. Building Positive Relationships**

AEMERA provides publicly accessible, open and transparent data and information on the impact of human activities on the environment, sourced from its own monitors but also compiled from external sources. In doing so, it interacts with a range of external partners.

AEMERA is also part of a bigger integrated resource management system. The activities of the Agency and actions of its employees and directors are expected to be supportive of this system. Collaboration among the system components and integrated decision making are hallmarks of this system and AEMERA's actions must balance the need for objectivity and impartiality with integration and collaboration.

In all these relationships, AEMERA, its employees, and its directors, will act in accordance with our mandate and values to build, foster and develop the relationship, so that a greater understanding of the impact of human activity on the Albertan environment can be reached.

## **VIII. Intellectual Property**

AEMERA encourages innovation among its employees and acknowledges that the recognition of employees that contribute to the invention, creation, dissemination and commercialization of intellectual property is an important part of attracting and retaining the very best individuals in this field. Furthermore, the efficient protection, commercialization and capitalization of intellectual property are also important elements in maintaining AEMERA's reputation. The Agency and its employees must also recognize that both are the beneficiaries of the contribution of public resources. With this in mind, the successful management of intellectual property arising from AEMERA's activities must be the result of effective collaboration between the Agency and the employees or creators in a partnership that draws on and recognizes the unique contributions that each party makes to the process.

## **IX. Political Activity**

The Agency encourages employees to participate actively in their community. Where this includes political activity, the employee, or director should avoid any activity that creates the appearance that the Agency is supporting any particular political view or political party. When guidance is needed, the employee should consult the Code Administrator.

Executive officers of the Agency interested in seeking nomination as a candidate in a federal or provincial election, or hold office in a political party or constituency association must resign their employment.

When an employee or director wishes to seek political office, or a nomination to represent a political party in a future election, they should advise the Code Administrator. In the case of local elections, such as for town or city councils, or school boards, employees must ensure that the activity does not interfere with their job duties with the Agency. In all cases, Agency resources must not be used.

In the case of Federal or Provincial office, employees must take a leave of absence when the writ is dropped.

Employees that are successfully elected to federal or provincial office must resign their employment effective the day of the election. In the event that an employee seeking election is unsuccessful, they are entitled to return to the same or similar position with the Agency.

## **X. Outside Employment**

Employees of the Agency may take supplementary employment as long as there is no real or apparent conflict of interest with the current duties, is not performed in a way that represents the work of the Agency, or involves the use of Agency resources. Outside employment should not be the same duties that an employee performs for the Agency. Should an opportunity arise for outside employment, the employee should consult with



the Code Administrator to determine if the outside employment meets the Agency's policies.

## **XI. Social Media**

The use of social media will be an important aspect of AEMERA's work, both in collecting data and making information publicly accessible. To help and assist employees and directors, the following guidelines are provided:

### **Accountability**

Once posted on social media, any material or comment is accessible to anyone with an internet connection. Furthermore, the content can never be effectively removed. Employees and directors should act with discretion and be judicious in what material they post on social media in their capacity as a representative of AEMERA. As with any other communications, they are accountable for content and confidentiality. Indeed, any form of behaviour not allowed in the workplace is also unacceptable through social media. In particular, care should be exercised in debates or comments on contentious matters, as feelings and emotions can become enflamed very quickly.

### **Media Relations**

The work of the Agency will call for comment on public matters; however, the need to meet the mandate of openness and transparency must be balanced by AEMERA's value of integrity.

To that end, only authorized employees or directors will speak on behalf of AEMERA in any media, including matters that may reflect on AEMERA's business, the nature of services it provides, or its clients.

This portion of the Code is not meant to limit public comment solely to a media relations or executive group, but rather to recognize that not all employees or directors are equally positioned to speak with authority on behalf of AEMERA about specific activities of the Agency. If an employee or director, who is not authorised, is contacted for comment by any media, they should politely decline and redirect the enquiry. Those who are authorized to speak on behalf of AEMERA should be careful to ensure that their communications are value neutral.

### **Privacy and Private Life**

AEMERA respects that employees and directors have the legal right to express their opinions, whether those opinions are complimentary or critical. The Agency recognizes and appreciates the employee's and director's rights to free speech. However, where an employee or director chooses to share an opinion on the work of AEMERA or matters related to its work, they must state that the comment is their own personal opinion and does not necessarily reflect the opinion of AEMERA.

## **XII. Use of AEMERA Assets**

Employees of AEMERA will use and permit the use of AEMERA time and assets only for the performance of AEMERA duties or as approved by our supervisors. All employees will safeguard and protect AEMERA work time and assets. No one shall use any

AEMERA asset, including e-mail, Internet services, or any other electronic communication devices, if the use could be offensive or inappropriate.

### **XIII. Administrative Processes**

The following processes are directions to help employees and directors 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 and fairly 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 AEMERA.

The Code Administrator for directors other than the Chair and the Chief Executive Officer (CEO) is the Governance Committee.

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

The Code Administrator for the CEO is the Chair.

The Code Administrator for the Chair is the Minister as designated by the *Alberta Environmental Monitoring Evaluation and Reporting Agency Act* who receives disclosures from the Chair and responds to any allegation that the Chair has breached this Code.

b. Disclosure

It is the responsibility of each employee and director 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 AEMERA. Where a real or apparent conflict of interest cannot be avoided, employees and directors shall take the appropriate steps to manage the conflict.

c. Reporting a Potential Breach by Another

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

d. Responding to Potential Breach

Once a potential breach has been reported, the AEMERA's procedures for responding to and managing a potential breach will be initiated. The Code Administrator will review the circumstance and details of the potential breach and will notify the alleged employee or director. The alleged employee or director has the right to access complete information and the right to respond fully to the potential breach. However, 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 a potential breach.

- e. Consequences of a Breach  
Employees and directors 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.
- f. Review of a Decision  
An employee or director can request in writing that the Board review the decision made by the Code Administrator that they have breached the Agency's Code of Conduct.

## **XIV. Other Resources**

- a. Where to Get Advice  
When employees and directors require advice and guidance in determining whether misconduct or a conflict exists, or need clarification, they may discuss their issue with:
- an employee supervisor;
  - Human Resources; or
  - the Code Administrator
- b. Questions to Consider  
When employees and directors 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?

## **XV. Affirmation**

The Code of Conduct for AEMERA was adopted by the Board on **April 1, 2015** and is reaffirmed annually by the Board to ensure it remains current and relevant.