CODE OF CONDUCT AND ETHICS

Author: Alberta Recycling Management Authority

Date: April 1, 2024

CONTACT US

ADDRESS
10020 108 St NW,
Edmonton, AB, Canada T5J 1K6

MAILING ADDRESS
P.O. Box 189
Edmonton, AB, Canada T5J 2J1

LOCAL
780.990.1111

TOLL FREE
1.888.999.8762

INQUIRIES
info@albertarecycling.ca

PREAMBLE

The Authority has a duty to the public as it provides public services through delegated governmental authority. The Authority is committed to acting with impartiality and integrity and ensuring that there is not any appearance of conflict between the private interests of the Authority's employees and their duty to the public.

At the same time, it is recognized that the Authority's employees should enjoy the same rights in their private dealings as any other citizens unless it can be demonstrated that a restriction is essential to the public interest.

PART 1 - DEFINITIONS

1. For purposes of this Code, unless the context otherwise requires,

(a) "board chair" means the director designated as the chair of the board of directors of the Authority;

(b) "board member" means an individual that has been appointed to the board of directors of the Authority;

(c) "code" means this Code of Conduct and Ethics, as amended from time to time;

(d) "supervisor" means the individual who supervises the employee;

(e) "employee" means all individuals hired by the Authority regardless of position classification (part-time, temporary, permanent, full-time, bargaining and non-bargaining positions);

(f) "minor child" refers to a child under the age of majority;

(g) the "private interest" of an employee does not include an interest;

(i) in a matter that is of general application;

(ii) that affects a person as one of a broad class of the public;

(iii) that affects the compensation or benefits of an employee, or

(iv) an interest that is trivial;

(h) "relative" includes spouse, children, step-children, legal dependents, parents, siblings, in-laws, grandparents, grandchildren, nieces, nephews, aunts, uncles and first cousins;

(i) "spouse" includes a party to a relationship who is living together with another person on a bona fide domestic basis but does not include a spouse who is living apart from the employee if the employee and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order; and

(j) "supervise" means to directly supervise or exercise influence over the assignment of duties, performance evaluation or related responsibilities of an employee.

PART 2 - APPLICATION

2. *General*

(1) This Code applies to all Board Members and Employees of the Authority. The Chief Executive Officer has the authority in exceptional circumstances to exempt a personal services contract employee from application of the Code.

(2) This Code is in addition to any statute pertaining to the actions of employees.

(3) Conflicts between the private interests of employees and their duty to the public not specially addressed in this Code must be dealt with according to the principles and intent of the Code.

PART 3 - ADMINISTRATION OF THE CODE

3. *Department Responsibility*

(1) Supervisors will administer the Code and will issue instructions as necessary for implementation of the Code to employees whom they supervise.

(2) A Supervisor may issue supplementary departmental instructions which modify but do not detract from matters dealt with in this Code, provided that the supplemental instructions are not more permissive than this Code.

(3) The Supervisor or designate will promote the Code and any supplemental Codes on a regular basis to ensure that employees are aware of their obligations.

4. *Board Chair Responsibility*

The Board Chair will administer this Code with respect to the Chief Executive Officer and Board Members.

5. *Governance and Accountability Committee Chair Responsibility*

The Chair of the Governance and Accountability Committee of the Authority will administer this Code with respect to the Board Chair.

6. *Interpretation and Application*

Any questions regarding the interpretation or application of this Code are to be directed to a Supervisor or the Chief Executive Officer.

PART 4 - EMPLOYEE RESPONSIBILITIES UNDER THE CODE

General Employee Responsibilities

7. Impartiality

Employees are expected in all regards to conduct their duties with impartiality.

8. Disclosure

Employees are required to disclose to their supervisor or designate any situation involving them which is a conflict or an apparent conflict of interest.

9. Furthering Private Interests

(1) Employees are in conflict of interest and in violation of this Code if they:

(a) take part in a decision in the course of carrying out their duties, knowing that the decision might further a private interest of the employee, their spouse or minor child, or

(b) use their public role to influence or seek to influence a decision which could further a private interest of the employee, their spouse or minor child, or

(c) use or communicate information not available to the general public that was gained by the employee in the course of carrying out their duties, to further or seek to further a private interest of the employee, their spouse or minor child.

Specific Employee Responsibilities

10. Dealings with Others

(1) Employees who exercise regulatory, inspection or other discretionary authority over others shall disqualify themselves from dealing with anyone with whom the relationship between them may bring the employee's impartiality into question, with respect to those functions. In situations where this would impair service delivery, employees must advise their supervisor or designate of the details before exercising their authority. Once the supervisor or designate has been notified the employee shall only exercise their authority in accordance with instructions received. In emergency situations the employee shall act impartially and notify the supervisor or designate immediately after exercising their authority.

(2) Relatives of an employee may work together provided there is no opportunity to exercise favoritism and no conflict of interest exists for the employees involved. An employee may not supervise a relative unless there are extenuating circumstances and the supervisor or designate approves an exemption from this section of the Code.

(3) In the staffing process, selection panel members shall disqualify themselves where applicants include relatives or other individuals where the continued participation of the panel member could raise a question as to their impartiality. When recruiting staff, the selection shall also be done impartially in accordance with section 6 of the Code.

(4) Employees shall, so far as it is known to them, disclose and discuss with the supervisor or designate situations which may be or may appear to be conflicts of interest under this section.

11. Outside Employment

(1) Employees may take supplementary employment including self-employment unless such employment:

(a) causes an actual or apparent conflict of interest, or

(b) interferes through telephone calls, or otherwise, with regular duties with the Authority.

(2) Prior to accepting any supplementary employment where it appears or where they believe that a conflict of interest might arise, employees are required to notify the supervisor or designate in writing about the nature of such supplementary employment.

(3) Employees shall not accept additional compensation for duties which they perform in the course of their employment with the Authority.

(4) Employees shall not allow the performance of their duties with the Authority to be influenced by offers of future employment or the anticipation of offers of employment.

12. Volunteer Activities

Employees are encouraged to participate in volunteer activities however the restrictions as listed in section 11(1) also apply to volunteer activity. Employees who are actively associated on a volunteer basis with any organization shall disclose to the supervisor or designate their interest in such an organization where a conflict of interest may arise. Such employees shall disqualify themselves from participating in any decision which could impact the organization.

13. Investment and Management of Private Assets

(1) Where an actual or proposed business or financial interest of an employee, or of the employee’s spouse or minor children is affected, appears to be affected or may be

affected by actions taken or decisions made in which the employee participates in the course of their employment, the employee shall disclose the business or financial interest to the supervisor or designate.

(2) If an actual or apparent conflict of interest situation exists under this section, the supervisor or designate shall determine the method of resolution of the situation. Options for resolution include requiring the use of a blind trust, divestment of the asset, or employment action ranging from transferring the employee to termination of employment.

(3) The supervisor or designate may require financial disclosure of employees in specific positions where, in the opinion of the supervisor or designate, conflict could likely occur.

(4) Information which is disclosed to the supervisor or designate under this section shall be maintained on a confidential basis by the supervisor or designate.

14. Acceptance of Gifts

(1) Employees shall not accept fees, gifts or other benefits that are connected directly or indirectly with the performance of their duties, from any individual, organization or corporation, other than:

(a) the normal exchange of gifts between friends;

(b) the normal exchange of hospitality between persons doing business together;

(c) tokens exchanged as part of protocol;

(d) the normal presentation of gifts to persons participating in public functions.

15. Public Statements

(1) The responsibility for maintaining the confidentiality of information or documents includes the responsibility for ensuring that such information or documents are not directly or indirectly made available to unauthorized persons.

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

16. Trade Knowledge and Intellectual Property

(1) Any product or technology developed by employees in the course of their employment with the Authority is the property of the Authority.

(2) An employee shall not sell, trade, market or distribute any such product or technology unless otherwise authorized by the supervisor or designate.

PART 5 - PROCESS

17. Process

(1) If a potential breach or conflict of interest is identified, the responsible individual identified in Part 3 will formally investigate the matter, make a decision, and complete a written report.

(2) The Employee or Board Member under investigation will be notified in writing and provided a copy of the written report. This individual can request all information related to the potential breach and shall have the right to respond before a final decision is made.

PART 6 - PENALTIES AND CONSEQUENCES

18. Penalties and Consequences

(1) Individuals who do not comply with any provisions of this Code may be subject to disciplinary action, up to and including dismissal.