

This policy statement applies to all persons employed at the Health Employers Association of BC (HEABC). The policy statement supports the intention that all HEABC employees exhibit the highest “standards of conduct.” It is every employee’s obligation to read, understand and comply with the standards of conduct. Employees may discuss any questions or concerns they may have with the standards of conduct with their direct supervisor.

HEABC’s employees’ conduct must instill confidence and trust and not bring HEABC into disrepute. Adhering to these standards of conduct is essential for HEABC’s success, and HEABC is determined to act and to be perceived as an ethical organization.

Definitions

“Confidential Information” means information that is not available to the public regarding the affairs or business of HEABC, a Member Organization or any ministry or department of the government or government entity, including, without limitation, information that is sensitive or subject to solicitor-client privilege or otherwise private or privileged.

“Member Organization” means any organization, health authority or government entity which HEABC represents or for which it is the accredited or authorized bargaining agent.

“Proprietary Material” means all documents and materials, including, without limitation, reports, arguments, opinions, interpretation bulletins, databases, spreadsheets and educational materials, or copies thereof or excerpts therefrom, created or developed by an employee in the course of his or her employment with HEABC, or created or developed by HEABC to which an employee has access in the course of his or her employment with HEABC.

“Outside Entity” means any organization, business or other entity involved in the provision or delivery of healthcare in British Columbia other than HEABC, a Member Organization or a ministry or department of the government or government entity.

“Union” means any trade union or similar organization or entity that represents employees or medical staff of a Member Organization in British Columbia and includes, without limitation, the British Columbia Nurses’ Union, the Hospital Employees’ Union, the B.C. Government and Service Employees’ Union, the Health Sciences’ Association of British Columbia, CUPE- Local 873, Doctors of B.C., the Resident Doctors of B.C., members of the Nurses’ Bargaining Association, members of the Health Services & Support Facilities Subsector Bargaining Association, members of the Health Services & Support – Community Subsector Bargaining Association, members of the Health Science Professionals’ Bargaining Association and members of the Ambulance Paramedics and Ambulance Dispatchers Bargaining Association.

CONFIDENTIALITY AND THE PROTECTION OF PERSONAL AND CORPORATE INFORMATION

Confidentiality

In the course of employment HEABC employees may receive or have access to Confidential Information. Protecting Confidential Information is a crucial business practice. If in doubt, employees should assume information is Confidential Information unless advised otherwise.

Confidential Information must be treated as confidential and, in particular, employees must not disclose, release or transmit Confidential Information, in any form, obtained through their employment with HEABC, to anyone other than persons who are authorized to receive the information.

Employees with care or control of electronic media or devices containing Confidential Information must handle and dispose of these appropriately.

The proper handling and protection of Confidential Information is applicable both within and outside of HEABC, and continues to apply after the employment relationship ends.

Confidential Information that employees receive or have access to through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains. (See the conflicts of interest section of this code for details.)

All HEABC employees are required to sign a Confidentiality, Proprietary Information and Post-Employment Agreement upon commencement of employment at HEABC which includes post-employment restrictions. (See HEABC Confidentiality, Proprietary Information and Post-Employment Agreement).

Protection of Proprietary Information and HEABC Assets

Proprietary Material is the sole property of HEABC. Employees will not use Proprietary Material for purposes other than their employment with HEABC.

HEABC assets are primarily to be used for legitimate business purposes. Employee use of HEABC resources must be incidental. HEABC employees may not use HEABC assets for personal gain or to operate a personal business or any kind. They may not allow any other person not employed or authorized by HEABC to use them.

Employees have an obligation to safeguard all HEABC assets and Proprietary Material and report any unauthorized access, loss, damage or theft immediately.

HEABC assets should not be removed from HEABC's premises without authorization.

Access to and use of HEABC computing and communication devices will be in accordance with HEABC policy. Unauthorized computer software or applications should not be used on HEABC's computers or computer system. (See Internet Usage Policy 1-9, Email Usage Policy 1-10 and Mobile Device Policy 1-13, as amended).

Records and Document Retention

Records are important information assets and a resource of great value to HEABC because they provide evidence of HEABC's business activities, decisions, operations, and internal and external transactions and activities. As such we are committed to the effective and responsible management of all HEABC records.

Employees are responsible for managing HEABC's records in accordance with HEABC's records management protocol and/or as set out in HEABC's policies as amended from time to time.

Public Comments

HEABC employees may comment on public issues but must not engage in any activity or speak publicly where this could be perceived as an official act or representation (unless authorized to do so).

HEABC employees must not use their position to lend weight to the public expression of their personal opinions.

Legal Proceedings

Employees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in legal proceedings unless the affidavit has been prepared by a lawyer, either internal counsel or external counsel, acting for HEABC in that proceeding or unless it has been approved by HEABC. Employees are obliged to cooperate with lawyers defending the HEABC's interests during legal proceedings.

Employees must exercise reasonable care to protect any privilege attached to advice prepared for or provided by HEABC.

Privacy

HEABC collects certain information about its employees in the normal course of employment relationships. Some of this information is "employee personal information", which is defined in BC's *Personal Information Protection Act (PIPA)* to mean personal information about an individual that is collected, used or disclosed solely for the purposes reasonably required to establish, manage or terminate an employment relationship between the organization and that individual.

During the course of one's employment with HEABC, the organization will collect personal information about the employee, where it is reasonable to do so for the purposes of establishing, managing and terminating the employment relationship. HEABC will use and disclose employee personal information only for those purposes, or as permitted or required by law.

Please refer to HEABC's Privacy Policy I-II as amended.

HEABC employees may also collect, use or disclose "personal information" as defined in *PIPA* in the course of their employment, including but not limiting to, personal information collected, used or disclosed while representing HEABC members. HEABC employees must comply with *PIPA* in the collection, use and disclosure of any personal information obtained through performance of their employment with HEABC.

CONFLICTS OF INTEREST

Conflicts of Interest

A conflict of interest occurs when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:

- The employee's ability to act in the public interest could be impaired; or
- The employee's actions or conduct could undermine or compromise:
 - The public's confidence in the employee's ability to discharge work responsibilities; or
 - The trust that the public places in HEABC.

While HEABC recognizes the right of employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their HEABC duties. Upon appointment to HEABC, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

Employees who find themselves in an actual, perceived or potential conflict of interest must disclose the matter to their supervisor, manager or HEABC's HR advisor as soon as they become aware of the actual, perceived or potential conflict of interest.

Examples of conflicts of interest include, but are not limited to, the following:

- An employee uses HEABC property or equipment or the employee's position, office or affiliation to pursue personal interests or the interests of another organization;
- An employee (or a person close to them) has potential to derive a personal benefit from the employee's decision or influence;
- An employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- An employee, in the performance of official duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment;
- An employee benefits from, or is reasonably perceived by the public to have benefited from, an HEABC business transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments);
- An employee accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of employment at HEABC, other than:
 - The exchange of hospitality between persons doing business together not exceeding \$75
 - Tokens exchanged as part of protocol;
 - The normal presentation of gifts to persons participating in public functions;
 - The normal exchange of gifts between friends; or
 - An employee accepts gifts, donations or free services for work-related leisure activities other than in situations outlined above.

The following four criteria, when taken together, are intended to guide the judgment of employees who are considering the acceptance of a gift:

- The benefit is of nominal value;
- The exchange creates no obligation;
- Reciprocation is easy; and
- It occurs infrequently.

Employees will not solicit a gift, benefit or service on behalf of themselves or other employees.

If an employee is in doubt whether a situation involves a conflict, they must immediately seek the advice of their supervisor, manager or HEABC's HR advisor.

Unless otherwise instructed, the employee or their supervisor, manager or HEABC's HR advisor must immediately identify and implement steps to resolve the conflict or remove the perception that it could exist.

Please refer to Policy I-I(k) Conflict of Interest; Gifts & Other Complimentary Items (HEABC Personnel Policies & Procedures as amended).

Post-Employment Restrictions

An employee of HEABC will not divulge, disclose or otherwise use Confidential Information or Proprietary Material obtained through his or her employment with HEABC following the conclusion of that employment without the express written permission of HEABC.

For a period of one (1) year after his or her employment with HEABC ends, an employee of HEABC will not act for or provide legal, strategic or other professional advice or support to an Outside Entity or Union, whether on his or her own or through a law firm or other business organization or entity, in connection with any proceedings, dispute, transaction, negotiation, project, committee, initiative or case in which HEABC and/or a Member Organization are or may be involved.

OUTSIDE ACTIVITIES

Employees must not engage in conduct outside of work that would seriously undermine or harm HEABC's reputation, including, but not limited to the activities described in the Conflict of Interest Section above. Employees will be accountable for any such conduct.

Outside Remunerative and Volunteer Work

Employees may hold jobs outside HEABC, carry on a business, receive remuneration from public funds for activities outside their position or engage in volunteer activities provided it does not:

- Interfere with the performance of their duties as a HEABC employee;
- Bring HEABC into disrepute;
- Represent a conflict of interest or create the reasonable perception of a conflict of interest;
- Appear to be an official act or to represent HEABC opinion or policy;
- Involve the unauthorized use of work time or HEABC premises, services, equipment or supplies;
or
- Gain an advantage that is derived from their employment with HEABC.
- Employees who are appointed as directors or officers of Crown corporations or boards (in the course of their duties at HEABC) are not to receive any additional remuneration beyond the reimbursement of appropriate travel expenses except as approved by HEABC's President & CEO.

Any new or existing employment or board appointments must be disclosed to HEABC's HR Advisor who will, through discussions with the employee's direct supervisor and management, determine if there is a conflict of interest with employee's position. The decision will be made in writing and placed in the employee's personnel file, detailing any conditions that may be imposed by HEABC.

Political Activity

HEABC employees may participate in political activities including holding membership in a political party, supporting a candidate for elected office or seeking elected office. Employees' political activities; however, must be clearly separated from activities related to their employment.

If engaging in political activities, employees must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Employees must not engage in political activities during working hours or use -HEABC facilities, equipment or resources in support of these activities.

Partisan politics are not to be introduced into the workplace; however, informal private discussions among co-workers are acceptable.

Personal Relationships

Employees involved in a personal relationship outside work with another employee which compromises objectivity, or the perception of objectivity, should avoid being placed in a direct reporting relationship to one another.

For example, employees who are direct relatives or who permanently reside together may not be employed in situations where:

- A reporting relationship exists where one employee has influence, input or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work and similar matters; or
- The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the Employer's interest.

Human Resource Decisions

Employees are to disqualify themselves as participants in human resource decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could accrue to them.

WORKPLACE BEHAVIOUR

Respectful Workplace and Human Rights

Employees are to treat each other with respect and dignity and must not engage in discriminatory conduct prohibited by the *Human Rights Code*. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment.

Further, the conduct of HEABC employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of HEABC.

Please refer to Policy I-1(a) Respectful Workplace and Human Rights (HEABC Personnel Policies and Procedures) as amended.

All employees may expect and have the responsibility to contribute to a safe workplace. Violence in the workplace is unacceptable. Violence is any use of physical force on an individual that causes or could cause injury and includes an attempt or threatened use of force.

Employees must report any incident of violence. Any employee who becomes aware of a threat must report that threat if there is reasonable cause to believe that the threat poses a risk of injury. Any incident or threat of violence in the workplace must be addressed immediately.

Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of HEABC's Occupational Health & Safety policy I-5.

ALLEGATIONS OF WRONGDOING

Employees have a duty to report any situation relevant to HEABC that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the *Personal Information and Protection of Privacy Act*). Employees will not be subject to discipline or reprisal for bringing forward to their immediate supervisor, in good faith, allegations of wrongdoing in accordance with this policy statement.

Employees must report their allegations or concerns as follows:

- Employees must report in writing to their direct supervisor, who will acknowledge receipt of the submission and have the matter reviewed and responded to in writing within 30 days of receiving the employee's submission. Where an allegation involves their direct supervisor, the employee must forward the allegation to the next senior level staff or board member at HEABC.
- Where an employee believes that the matter requires a resolution and it has not been reasonably resolved by HEABC, the employee may then refer the allegation to the appropriate authority.
- If the employee decides to pursue the matter further then:
 - Allegations of criminal activity are to be referred to the police;
 - Allegations of a misuse of public funds are to be referred to the Auditor General;
 - Allegations of a danger to public health must be brought to the attention of the appropriate health authorities; and
 - Allegations of a significant danger to the environment must be brought to the attention of the Deputy Minister, Ministry of Environment.

RESPONSIBILITIES

HEABC Board of Directors

- Commits to ensuring that the requirements contained in this code of conduct document are adhered to by all persons employed by HEABC.

President & Chief Executive Officer

- Provide timely advice to managers and designated contacts respecting the application of this policy statement including guidance on an appropriate employer response to transgressions of the policy statement; and
- Designate an HEABC contact for matters related to standards of conduct;
- Waive the provision on working relationships under the circumstances indicated; and
- Delegate authority and responsibility, where applicable, to apply this policy statement within their organization

Vice-Presidents; Executive Directors and Directors

- Advise employees of the required standards of conduct and the consequences of non-compliance;
- Coordinate the development of awareness, training and communication programs in support of this policy statement.
- Promote a work environment that is free of discrimination;
- Deal with breaches of this policy statement in a timely manner, taking the appropriate action based upon the facts and circumstances;

Industry Specialist, Supervisors

- Advise staff on standards of conduct issues;

- Engage the designated contact as may be appropriate in the circumstances; and
- Contribute to a work environment that is free of discrimination.

All Employees

- Objectively and loyally fulfill their assigned duties and responsibilities, regardless of their personal opinions;
- Disclose and resolve conflicts of interest or potential conflict of interest situations in which they find themselves;
- Maintain appropriate workplace behavior;
- Avoid engaging in discriminatory conduct or comment; and
- Check with their supervisor or manager when they are uncertain about any aspect of this policy statement.

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