



Environment and Climate Change Canada Values and Ethics Code



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| | | |
|-------|--|----|
| 1. | Introduction | 6 |
| 1.1 | Objectives | 6 |
| 1.2 | Application | 6 |
| 1.3 | Consequences | 7 |
| 1.4 | Effective date | 7 |
| 2. | Our department | 7 |
| 2.1 | Our mandate | 7 |
| 2.2 | Our Values | 7 |
| 2.2.1 | Public service values | 7 |
| 2.2.2 | ECCC Values | |
| 2.3 | The role of the Minister | 10 |
| 2.4 | The role of the Deputy Minister and Associate Deputy Minister | 11 |
| 2.5 | Responsibilities of management and executives | 11 |
| 2.6 | Our role as ECCC employees | 11 |
| 3. | Wrongdoing | 12 |
| 3.1 | Disclosure of wrongdoing | 12 |
| 3.2 | The Senior Officer for Internal Disclosure | 12 |
| 3.3 | Disclosures from the public | 12 |
| 4. | Conflict of interest, conflict of duties, political activities and post-employment | 13 |
| 4.1 | Preventing and dealing with conflict of interest and conflict of duties situations | 13 |
| 4.1.1 | Roles and responsibilities | 13 |
| 4.1.2 | Mandatory conflict of interest declarations | 14 |
| 4.2 | Outside employment or activities | 15 |
| 4.3 | Contracts and financial arrangements with the Government of Canada | 15 |
| 4.4 | Financial conflict of interest | 15 |
| 4.5 | Pre-employment | 16 |
| 4.6 | Political activities | 16 |
| 4.7 | Gifts, hospitality, other benefits and honoraria | 17 |
| 4.7.1 | Honoraria | 17 |
| 4.8 | Solicitation and fundraising | 17 |
| 4.9 | Avoidance of preferential treatment | 17 |
| 4.9.1 | Dealings with relatives or associates | 18 |
| 4.9.2 | Preferential treatment and unfair advantages in government contracts | 18 |
| 4.10 | Post-employment | 19 |
| 4.11 | Technology, innovation, and intellectual property | 19 |

| | | |
|---|---|----|
| 4.11.1 | Use of social media..... | 19 |
| 4.11.2 | Misinformation and disinformation..... | 20 |
| 4.11.3 | Artificial intelligence and automated decision systems | 20 |
| 4.11.4 | Protecting intellectual property, personal and sensitive information | 21 |
| 5. | Definitions | 21 |
| 6. | Related links | 22 |
| 7. | Enquiries..... | 23 |
| Appendix A – Mandatory procedures for preventing and resolving conflict of interest and conflict of duties situations | | 24 |
| 1. | Outside employment and activities..... | 24 |
| 1.1 | Definitions..... | 24 |
| 1.2 | Conflict of interest declarations | 25 |
| 1.2.1 | Funding and partnerships related to external academic or research activities..... | 26 |
| 1.3 | Approvals..... | 26 |
| 1.4 | Requirements during outside activity or employment | 27 |
| 2. | Contractual arrangements with the Government of Canada | 28 |
| 2.1 | Before accepting and participating in a contract..... | 28 |
| 2.2 | During the contract lifecycle | 29 |
| 2.3 | Other requirements | 29 |
| 3. | Financial conflicts of interest, reportable and non-reportable assets and liabilities | 29 |
| 3.1 | Reportable assets and liabilities..... | 30 |
| 3.2 | Financial mitigation strategies | 30 |
| 3.2.1 | Divestment..... | 30 |
| 3.2.2 | Activity withdrawal measures | 30 |
| 3.2.3 | Blind trust agreements | 30 |
| 3.2.4 | Blind management agreements | 31 |
| 3.2.5 | Other trusts and management agreements..... | 33 |
| 3.2.6 | Agent arrangements | 33 |
| 3.2.7 | Asset-freezing arrangements | 33 |
| 3.2.8 | Cost reimbursement..... | 33 |
| 4. | Political activities..... | 33 |
| 4.1 | Definitions..... | 33 |
| 4.2 | Requirements | 34 |
| 4.3 | Conflict of interest declarations | 34 |
| 4.4 | Seeking nomination in a federal, provincial, territorial or municipal election | 35 |

| | | |
|-------|--|----|
| 5. | Adjunct professorships, memberships on committees and boards and other collaborative positions on behalf of ECCC | 35 |
| 5.1 | Definitions | 36 |
| 5.2 | Activities on behalf of ECCC | 36 |
| 5.2.1 | Membership on committees and boards | 36 |
| 5.2.2 | Adjunct professorships and other collaborative positions | 36 |
| 5.2.3 | Funding for research activities on behalf of ECCC | 38 |
| 5.3 | After accepting appointment | 38 |
| 5.4 | During meetings..... | 38 |
| 5.5 | Approvals..... | 38 |
| 5.6 | Scientific integrity | 39 |
| 6. | Gifts, hospitality and other benefits | 39 |
| 6.1 | Acceptance | 39 |
| 6.2 | Situations where it may be impossible to decline a gift, hospitality, other benefits..... | 40 |
| 6.3 | Honoraria..... | 40 |
| 6.4 | Travel offers from a third party | 41 |
| 7. | Preferential treatment and working with relatives or associates | 41 |
| 7.1 | Definitions | 41 |
| 7.2 | Requirements | 42 |
| 7.3 | Conflict of interest declarations | 42 |
| 7.4 | Reporting and other relationships | 42 |
| 7.5 | How to avoid preferential treatment | 42 |
| 7.5.1 | Staffing | 43 |
| 7.5.2 | Procedures for conflict of interest situations in staffing..... | 43 |
| 7.5.3 | Staffing recourse..... | 43 |
| 7.6 | Other conflict of interest situations involving relatives and associates..... | 43 |
| 7.7 | Relationships and partnerships with external stakeholders | 44 |
| 7.8 | Exceptions | 44 |
| 8. | Post-employment..... | 44 |
| 8.1 | Leaving the Public Service..... | 45 |
| 8.1.1 | Limitation period for designated positions | 45 |
| 8.1.2 | Waiver or reduction of limitation period | 46 |

“Guided by our values, we are a more effective organization.”

- John Hannaford, Clerk of the Privy Council, March 1, 2024, in remarks to the National Managers’ Community

1. Introduction

The Environment and Climate Change Canada (ECCC) Values and Ethics Code (the Code) outlines the standards we commit to in our daily actions and decisions; the Code’s values are extremely important and everyone who works at ECCC is expected to live by them.

As public servants, we have unique responsibilities – this is not a job like any other. In all of our actions and decisions, we must be guided by our common interest in serving Canadians in a professional and non-partisan manner.

We must be mindful of the impact of our actions and decisions on others, and on the public interest. Upholding this interest is at the heart of public trust, and that is why we are all responsible for safeguarding the integrity of our organization.

Adherence to the Code is a condition of employment; let us be true both in letter and in spirit, in how we conduct ourselves and carry out our work.

1.1 Objectives

The Code defines the conduct and values you are expected to follow in all activities related to your professional duties as an ECCC employee. In agreeing to work for this Department, you agree to abide by these standards..

This Code was developed in consultation with employees, management and bargaining agents, and fulfills the requirement of Sections 5 and 6 of the Public Servants Disclosure Protection Act.

When ethical concerns arise, you are encouraged to discuss and resolve them promptly with your immediate supervisor or with the Values, Integrity and Disclosure Centre of Expertise (VID CoE). Handle these concerns fairly and respectfully and resolve conflicts informally through dialogue or mediation when appropriate.

1.2 Application

Adherence to this Code, the Values and Ethics Code for the Public Sector, and the Directive on Conflict of Interest is a condition of employment for every ECCC employee regardless of level or position, and regardless of whether the type of employment is indeterminate, term, assignment, leave with or without pay, student, casual, seasonal or part-time. Volunteers in the Department are also expected to respect our values. The Code complements but does not replace or supersede the Directive on Conflict of Interest and the Values and Ethics Code for the Public Sector.

By upholding these standards, we all conserve and enhance public confidence in the honesty, fairness and integrity of the federal public service.

1.3 Consequences

An employee who does not comply with this Code may be subject to disciplinary measures, up to and including termination of employment.

1.4 Effective date

The ECCC Values and Ethics Code came into force on August 1, 2012. This version was approved by the Deputy Minister on December 2, 2024.

2. Our Department

2.1 Our mandate

ECCC is the lead federal department for a range of environmental issues facing Canadians. Under the *Department of the Environment Act*, these include matters such as:

- The preservation and enhancement of the quality of the natural environment, including water, air and soil quality, and the coordination of the relevant policies and programs of the Government of Canada;
- Wildlife, including migratory birds and other non-domestic flora and fauna;
- Meteorology; and
- Enforcement of rules and regulations under the Department's authorities.

We strive to minimize threats to Canadians and their environment from pollution, equip Canadians to make informed decisions and conserve and restore Canada's natural environment for present and future generations.

2.2 Our Values

2.2.1 Public service values

The following core values underpin Canada's public service. The significance of these enduring values cannot be overstated — they have far-reaching implications for governance, public trust and the well-being of our society and ultimately of the Canadians we serve. They are the underlying basis of the conduct expected of public servants and guide our conduct during challenging, complex or uncertain situations.

Managers and employees alike are expected to integrate these values into their decisions, actions, and processes. Likewise, you can expect to be treated in accordance with these values by the Department.

Respect for Democracy

Canadian parliamentary democracy and its institutions are fundamental to serving the public interest. ECCC employees recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public service is essential to our democratic system. Respecting our system of democracy means:

- Respecting the rule of law and carrying out our duties in accordance with legislation, policies and directives in a non-partisan and impartial manner.
- Loyal carrying out the lawful decisions of our leaders and supporting our Minister in their accountability to Parliament and Canadians.
- Providing decision-makers with all the information, analysis and advice they need, always striving to be open, candid and impartial.

Respect for People

Treating all people with respect, dignity and fairness is fundamental to our relationship with the Canadian public and contributes to a safe and healthy work environment that promotes engagement, openness and transparency. The diversity of our people and the ideas we generate are the source of our innovation. Respecting people means:

- Treating every person with respect and fairness.
- Valuing diversity and the benefit of combining the unique qualities and strengths inherent in a diverse workforce.
- Helping to create and maintain safe and healthy workplaces that are free from harassment and discrimination.
- Working together in a spirit of openness, honesty and transparency that encourages engagement, collaboration and respectful communication.

Integrity

Integrity is the cornerstone of good governance and democracy. By upholding the highest ethical standards, employees conserve and enhance public confidence in the honesty, fairness and objectivity of the Department. Acting with integrity means:

- Acting at all times in a manner that will bear the closest public scrutiny, an obligation that may not be fully satisfied by simply acting within the law.
- Never using one's official role to inappropriately obtain an advantage for ourselves or to advantage or disadvantage others.
- Taking all possible steps to prevent and resolve any real, apparent or potential conflicts of interest between one's official responsibilities and one's private affairs in favour of the public interest.
- Acting in such a way as to maintain our employer's trust.

Stewardship

ECCC employees are entrusted to use and care for public resources responsibly, for both the short-term and long-term. Responsible stewardship means:

- Effectively and efficiently using the public money, property and resources we manage.
- Considering the present and long-term effects that our actions have on people and the environment.
- Acquiring, preserving and sharing knowledge and information as appropriate.

Excellence

Excellence in the design and delivery of public service policy, programs and services is beneficial to every aspect of Canadian life. Engagement, collaboration, effective teamwork and professional development are all essential to a high-performing organization. Professional excellence means:

- Providing fair, timely, efficient and effective services that respect Canada's official languages.
- Continually improving the quality of policies, programs and services we provide.
- Fostering a work environment that promotes teamwork, learning and innovation.

2.2.2 ECCC Values

The following values and expected behaviours were developed through internal consultations and are aimed at empowering ECCC to pursue its mandate, as well as the mission, vision and culture that flow from it. We treat employees in accordance with these values and, as an overarching priority, create and maintain a safe and healthy workplace.

Each of the ECCC values has particular importance and unique relevance to our employment at ECCC. They complement the values described in 2.2.1.

Environmental Responsibility

- We are committed to making a positive and lasting impact on the health of Canada's environment and the well-being of its people, both now and for future generations.
- We recognize that the environment is vital to the identity and well-being of Canadians.
- We provide evidence-based advice that effectively addresses environmental challenges.
- We embrace innovation and are committed to greening our operations.

Community and Collaboration

- We commit to advancing reconciliation, diversity, inclusion, employment equity, anti-racism, and accessibility to create a workplace where everyone feels valued and can fully contribute their talents and expertise. We provide fair and equitable opportunities for under-represented people.
- We strive to build a supportive and barrier-free work environment that builds trust, provides psychological and physical safety, and is free from discrimination, racism, harassment, and violence.

- We work together to build a culture of care, characterized by humility, compassion, courage and collaboration.
- We celebrate and value the diverse experiences, views, skills and contributions of our colleagues and partners, and take pride in our domestic and international collaborations.
- We show respect to everyone by honouring their inherent dignity and rights regardless of race, religion, cultural identity or background, gender expression, or other forms of identity.

Accountability

- We take accountability for our actions, decisions, use of public funds, and the delivery of all programs and services.
- We protect, manage and preserve ECCC's assets, intellectual property, science, research and information.
- We are responsible for creating an environment in which we all want to work.

Professional and Scientific Excellence

- We value diverse perspectives and experiences to provide the best information and science for impartial and evidence-based decision-making.
- We mobilize our science and knowledge through clear, honest and transparent communication.
- We pursue scientific excellence and provide timely and effective services that make a positive difference for stakeholders and Canadians.
- We honour the contributions of Indigenous Peoples and Indigenous Science and Knowledge to enhance ECCC's research, policies, programs and decision-making. We recognize that partnerships and meaningful engagement with Elders and First Nations, Inuit, and Métis is essential for protecting Canada's natural environment and supporting a respectful path of reconciliation with Indigenous Peoples.
- We uphold the highest standards of integrity, trust, and professional excellence in our everyday work, relationships and decision-making.

You might encounter situations where values conflict with one another. In these cases, you must attempt to balance the values and avoid upholding one at the expense of others. For guidance in navigating these situations, you are encouraged to speak to your supervisor or with ECCC's VID CoE. Sections 3 and 4 of this Code provide information on resolution avenues for matters related to wrongdoing and conflicts of interest.

2.3 The role of the Minister

Canadian democracy is founded on the principle of responsible government, where the Crown's powers are exercised by ministers accountable to an elected Parliament. Ministers and their staff must adhere to conflict of interest and post-employment obligations under the *Conflict of Interest Act* and *Lobbying Act*.

2.4 The role of the Deputy Minister and Associate Deputy Minister

The Deputy Minister is responsible for fostering a strong culture of values and ethics in the Department, including implementing and ensuring employee awareness of the Code and the internal disclosure procedures for allegations of wrongdoing. The Deputy Minister must also ensure that the Department's programs and services are non-partisan. The Deputy Minister and any Associate Deputy Minister or ministers are subject to this Code and to the *Conflict of Interest Act* (chapters 1-5).

2.5 Responsibilities of management and executives

Managers and executives are vital in shaping ECCC's ethical culture by leading by example and upholding the values and behaviours outlined in this Code. They must also support and guide employees in navigating real or potential values and ethics issues and in addressing any breaches of the Code. In addition, they are responsible for:

- fostering a trusting environment where employees feel safe discussing ethical issues respectfully and openly;
- creating opportunities to regularly discuss values and ethics and how they apply within their teams, including during the selection and onboarding process, performance management cycles, and when an employee indicates their intention to leave the public service;
- ensuring that their teams complete and renew mandatory training on values and ethics as per the Departmental Learning Policy;
- responding promptly and effectively to incidents of harassment, violence, discrimination, or hate; and
- recognizing and valuing employee contributions and supporting their development and learning.

2.6 Our role as ECCC employees

As dedicated professionals whose work is essential to our national well-being, all ECCC staff are committed to serving the public interest and upholding the trust of Canadians. We serve Canadians and their communities, under the direction of the elected government and in accordance with the laws of Canada, recognizing that a professional and non-partisan public service is integral to our democracy.

3. Wrongdoing

3.1 Disclosure of wrongdoing

Under sections 12 and 13 of the *Public Servants Disclosure Protection Act* (PSDPA), if you have information that could indicate a serious breach of this Code or other form of wrongdoing as per section 8 of the PSDPA, you have a responsibility to report the matter in confidence to your immediate supervisor, the Senior Officer for Internal Disclosure, or the Public Sector Integrity Commissioner.

The PSDPA provides federal public sector employees with:

- a secure and confidential process for disclosing serious wrongdoing in or relating to the public sector workplace; and
- protection from acts of reprisal.

The PSDPA applies in respect of the following wrongdoings in or relating to the public sector:

- A contravention of (i.e., breaking) a federal or provincial law or regulations;
- A misuse of public funds or a public asset;
- Gross mismanagement in the public sector;
- A serious breach of a code of conduct established under the PSDPA;
- An act or omission that creates a substantial and specific danger to the life, health and safety of persons or the environment; and
- Knowingly directing or counseling a person to commit any of the above

3.2 The Senior Officer for Internal Disclosure

ECCC's Senior Officer for Internal Disclosure (divulgation-disclosure@ec.gc.ca) is responsible for receiving and dealing with disclosures of wrongdoing in our Department, and reports to the Deputy Minister as required by the PSDPA.

3.3 Disclosures from the public

Any member of the public who has information indicating that an ECCC employee has committed a serious breach of this Code may raise the matter by contacting the Senior Officer for Internal Disclosure at divulgation-disclosure@ec.gc.ca or the Public Sector Integrity Commissioner.

4. Conflict of interest, conflict of duties, political activities and post-employment

4.1 Preventing and dealing with conflict of interest and conflict of duties situations

4.1.1 Roles and responsibilities

ECCC employees must prevent and avoid situations that could result in an apparent, potential or real conflict of interest or conflict of duties.

As an ECCC employee, you must prevent any conflicts that arise between your public duties and private interests through the following:

- Take all reasonable steps to recognize, prevent, report and resolve any apparent, potential or real conflicts of interest between your official responsibilities and your private affairs;
- Seek advice and submit a conflict of interest declaration to the VID CoE for your outside employment and activities, relationships, gifts, assets, intellectual property, liabilities and interests that might give rise to an apparent, potential or real conflict of interest in relation to your official duties and responsibilities (refer to section 4.1.2);
- Refrain from having private interests that could be unfairly affected by your participation or influence in government actions, or by the knowledge or information you possess;
- Do not knowingly take advantage of or benefit from information that is obtained in the course of your official duties and that is not available to the public;
- Refrain from using (either directly or indirectly), or allowing the direct or indirect use of federal government property, including, but not limited to, intellectual property and property leased to the government, for anything other than officially approved activities;
- Do not assist private entities or persons in their dealings with the government, where this would result in (or a possible appearance of) preferential treatment of the entities or persons;
- Do not interfere in the dealings of private entities or persons with the government to inappropriately influence the outcome; and
- Maintain the impartiality of the public service and do not engage in any outside activity that impairs or could be seen to impair the ability to perform your duties in an unbiased and objective manner.

As a manager or supervisor, you are also responsible for the following:

- Ensure that your staff have read, understood and comply with ECCC's Values and Ethics Code;
- Seek advice from the VID CoE on possible conflict of interest situations for your employees or yourself, and ensure that employees submit conflict of interest declarations to the VID CoE as required;
- Ensure that all information related to a conflict of interest declaration is treated as personal information in accordance with the Privacy Act;
- Monitor your team's adherence to the Code as part of the performance management process and take corrective action if you identify any conflicts of interest or patterns of concern.

4.1.2 Mandatory conflict of interest declarations

You are required to report the following situations that might give rise to an apparent, potential or real conflict of interest in relation to your official duties:

- All outside employment and activities (see **section 1 of Appendix A** for examples of outside employment and activities);
- Personal and financial interests, assets or liabilities (see ECCC's conflict of interest declaration form accessible only on the Government of Canada network for a list of reportable and non-reportable assets and liabilities);
- Any employment situation held before joining ECCC;
- If you are seeking a nomination as a candidate or becoming a candidate in a federal, provincial, territorial or municipal election;
- Non-candidacy political activities that could constitute a conflict of interest or impair your ability to perform your duties and responsibilities in an objective and impartial manner;
- Gifts, hospitality or other benefits offered from clients, stakeholders or partners in the context of your duties;
- Situations involving preferential treatment or the possible appearance of preferential treatment;
- Dealings with a relative or associate (including working with or hiring);
- If you intend to leave the public service, any potential or future employment situation (see **section 8 of Appendix A** on post-employment obligations for designated positions); and
- Any other situation you believe may pose an apparent, potential, or real risk for conflict of interest or conflict of duties.

You must submit a conflict of interest declaration to the VID CoE within 60 days of your initial appointment (appointment, transfer or deployment). The Centre of Expertise will advise you (and, if necessary, your management and/or the Department) on measures that may be required to mitigate any conflict of interest risks.

On an annual basis, and every time a change occurs in your personal affairs or official duties, you are required to review your obligations under this Code and file a new conflict of interest declaration in a timely manner.

4.2 Outside employment or activities

You may engage in employment outside the public service and take part in outside activities as long as they do not give rise to an apparent, potential or real conflict of interest or undermine the Department's impartiality or your objectivity.

You must report all current or potential outside employment that might give rise to an apparent, potential or real conflict of interest in relation to your official duties and responsibilities by submitting a conflict of interest declaration to the VID CoE.

You must consider whether any of your outside activities could create demands that conflict with your official duties or might lead the public to question your ability to perform your duties in a completely objective manner. If there is any question as to whether such a situation may exist, you must submit a conflict of interest declaration to the VID CoE.

The VID CoE may require that the outside activity be modified or terminated if it is determined that there is any apparent, potential or real conflict of interest.

Refer to **section 1 of Appendix A** for further direction on preventing and managing conflicts of interest in outside employment and activities.

4.3 Contracts and financial arrangements with the Government of Canada

As per section 4.2.9 of the *Directive on Conflict of Interest*, employees must obtain Deputy Minister approval before entering into a contract with the Government of Canada for which they may receive any direct or indirect benefit or income. For procedures on engaging in a contractual arrangement with the Government of Canada, please refer to **section 2 of Appendix A**.

If you are considering entering into a financial arrangement or contract with the Government of Canada outside of your ECCC role where you may be receiving any direct or indirect benefit or income, you are required to report such arrangements to the VID CoE. The Centre of Expertise will determine whether the arrangement presents a conflict of interest. Financial arrangements may include scholarships, external funding (for example, tri-agency funding), awards and transfer payments (for example, benefits under Grants and Contribution Agreements).

In addition, if you are receiving a benefit or income either directly or indirectly from a contract or financial arrangement with the Government of Canada, you are required to report such arrangements to the VID CoE. Any situation presenting a conflict of interest must be immediately reported to the Procurement and Contracting Division (for contracts) and to the Financial Management Directorate (for Grants and Contributions Agreements) to assess whether the contract or financial arrangement should be modified or terminated.

4.4 Financial conflict of interest

Employees' private assets and liabilities can give rise to apparent, potential or real conflicts of interest depending on their public service duties and responsibilities. A financial conflict of interest may arise when an employee could benefit financially from non-public information accessed through their ECCC role, or if they have authority or influence over matters that could

affect the value of their own or others' financial investments, including those of friends and family members.

You are required to evaluate your assets and liabilities in relation to the nature of your official duties. If there is any apparent, potential or real conflict of interest, you must report the matter to the VID CoE in a timely manner.

If it is determined that any assets result in an apparent, potential or real conflict of interest in relation to your duties and responsibilities, including information to which you are privy, you may be required to divest those assets or to take other measures to resolve the conflict. You may not sell or transfer assets to family members or anyone else for the purpose of circumventing the compliance requirements.

Refer to **section 3 of Appendix A** for further information on preventing and managing financial conflicts of interest relating to assets and liabilities.

4.5 Pre-employment

You may have had duties in a previous role (for example, volunteer, academic or other employment) that overlap with your official ECCC duties. A pre-employment conflict of interest may arise when your new role at ECCC involves relationships or dealings with your former organization or its clients, stakeholders, or partners, or where your position at ECCC could influence or give an unfair advantage to your former organization. Accordingly, you should report to the VID CoE any pre-employment situation that could give rise to an apparent, potential or real conflict of interest with your duties at ECCC.

4.6 Political activities

If considering involvement in political activity, you should seek the advice of the Department's Designated Political Activities Representative before initiating such involvement. You are required to obtain permission from the Public Service Commission to seek nomination for, or be a candidate in, a federal, provincial, territorial or municipal election, in accordance with Part 7 of the *Public Service Employment Act* (PSEA).

“Political activities” are defined in Part 7 of the PSEA as “any activity in support of, within or in opposition to a political party; carrying on any activity in support of or in opposition to a candidate before or during an election period; or, seeking nomination as or being a candidate in an election before or during the election period.”

If you wish to engage in a political activity not covered by Part 7 of the PSEA that could constitute a conflict of interest, you are required to report the proposed activity to the Designated Political Activities Representative. This requirement also applies to any employee subject to this Code but not subject to Part 7 of the PSEA, including students in employment programs, seasonal, casual, and part-time workers, who wish to participate in political activities that could present a conflict of interest.

Refer to **section 4 of Appendix A** for further direction on political activities and preventing conflicts of interest in these areas.

4.7 Gifts, hospitality, other benefits and honoraria

You are expected to use your best judgment to avoid situations of apparent, potential or real conflicts of interest by considering the following criteria on gifts, hospitality and other benefits, while keeping in mind the full context of this Code.

As an employee, you must decline any gifts, hospitality or other benefits that may have an apparent, potential or real influence on your objectivity in carrying out your official duties or that may place you under a real or perceived obligation to the donor. This includes activities such as free or discounted admission to sporting and cultural events, travel or conferences.

The acceptance of gifts, hospitality and other benefits may be permissible if they:

- are infrequent and of minimal value (less than \$40);
- are within the normal standards of courtesy or protocol;
- arise out of activities or events related to your official duties; and
- do not compromise, or appear to compromise, your integrity or that of ECCC.

You are to seek written direction from the VID CoE when you cannot decline gifts, hospitality or other benefits that do not meet the above criteria or where it is believed that their acceptance would bring a sufficient benefit to the Department.

Refer to **section 6 of Appendix A** for further direction on preventing and managing conflicts of interests in these areas.

4.7.1 Honoraria

If you are participating in events in your official capacities (speaker at a conference, panel, etc.), you must not accept any form of honorarium, regardless of whether such participation was during or outside work hours.

4.8 Solicitation and fundraising

You must not solicit gifts, hospitality, other benefits or transfers of economic value from outside entities or individuals that have, had, or may have dealings with the government, including fundraising activities for the Government of Canada Workplace Charitable Campaign (GCWCC), without having received prior written approval from the VID CoE and ECCC management.

Similarly, if an outside individual or entity with whom ECCC has past, present or potential official dealings offers a benefit to the Department, such as funding for an event or a donation of equipment, you must consider whether any apparent, potential or real conflict of interest exists. You must obtain the consent in writing of the VID CoE before accepting any such benefit. The VID CoE may require that the activities be modified or terminated where it is determined that there is an apparent, potential or real conflict of interest or an obligation to the donor. These solicitation provisions are designed to ensure that this Code is consistent with paragraph 121(1)(c) of the *Criminal Code*; they are not intended to prevent employees from taking part in charitable works.

4.9 Avoidance of preferential treatment

As an employee, you are responsible for demonstrating objectivity and impartiality in your duties and decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations, or any other responsibilities.

You are prohibited from granting preferential treatment or advantages to family, friends, or any other individual or entity. You are not to offer extraordinary assistance to any entity or individual already dealing with the federal government without the knowledge and support of your supervisor. You also are not to disadvantage any entity or individual dealing with the federal government because of personal antagonism or bias. Providing information that is publicly accessible is not considered preferential treatment.

4.9.1 Dealings with relatives or associates

You must report any apparent, potential or real conflict of interest situation related to dealings (including working or hiring) involving a relative or associate, or if there is any question as to whether such a situation may exist.

Given that managers or supervisors are expected to be unbiased and fair in managing their teams, a reporting relationship between relatives or associates is a real conflict of interest and must be avoided since it creates the appearance of preferential treatment. Managers must ensure that relatives and associates remain outside of their immediate team or line of control. This means managers must have no influence, input or decision-making over a relative's or associate's performance evaluation, salary, promotion, special permissions, conditions of work and similar matters. Project leads, team leads, and committee chairs must also avoid conflict of interest situations involving relatives or associates.

Everyone seeking employment in the Department must receive full and equal opportunity. Appointments must be made according to merit and must not be denied based on personal relationships. You must inform the hiring manager if you are asked to take part in a staffing action that involves a relative or an associate. Selection boards must exclude persons whose relationship to any of the candidates could compromise the objectivity, impartiality or integrity of the board. This includes all stages of a staffing action once the relationship with a candidate becomes known, including the screening of candidates, the assessment process, hiring tools and determining the successful candidate(s).

It is also essential to address the broader implications of personal or private relationships that may arise in our official roles. Such relationships can lead to complex issues, including preferential treatment, collusion, undue influence, lack of objectivity, and negative impacts on morale and productivity. These concerns often necessitate solutions that extend beyond standard conflict of interest measures, including considerations for informal conflict management, harassment prevention and workplace accommodations.

Refer to **section 7 of Appendix A** for further direction on preventing and managing conflicts of interest related to preferential treatment and working with relatives or associates.

4.9.2 Preferential treatment and unfair advantages in government contracts

Employees engaged in procurement and contracting on behalf of the Government of Canada must pay close attention to the conflict of interest provisions outlined in this Code, as well as adhere to relevant policies, directives, and guidelines.

If you have authority or influence over procurement or contracting activities, such as approving or reviewing contracts, or participating in bid solicitations, and may be in an apparent, potential

or real conflict of interest with a supplier who has submitted or may submit a bid, you must inform your management and submit a conflict of interest declaration (form accessible only on the Government of Canada network) to the VID CoE.

Employees and program authorities must avoid developing connections with suppliers that could lead to preferential treatment or information-sharing, which might create or appear to create an unfair advantage for these entities. This includes offers for “free work,” “pilot projects,” or “zero-dollar value” contracts, which can foster informal relationships that may result in long-term sole-source contracts or provide unfair advantages in future requests for proposals with multiple bidders.

4.10 Post-employment

As an employee, you have a responsibility to minimize the possibility of apparent, potential or real conflicts of interest between your most recent responsibilities within the federal public service and your subsequent employment outside the public service. Before leaving the public service, you must inform your supervisor or the VID CoE if you intend to accept an offer of employment or engage in activities that could pose an apparent, potential or real conflict of interest with your current public service responsibilities.

Employees in designated positions (all EX, EX minus 1 and EX minus 2 positions and their equivalents, and any individual positions designated by the Deputy Minister) are subject to a one-year limitation period after leaving the public service. Before leaving the public service and during the one-year limitation period, these employees must report to the VID CoE all offers of employment or proposed activity outside the public service that could place them in an apparent, potential or real conflict with their public service employment.

Refer to **section 8 of Appendix A** for further direction on preventing and managing post-employment conflicts of interest.

4.11 Technology, innovation, and intellectual property

4.11.1 Use of social media

You should consider that social media, with its broad reach, immediate availability and permanence, can blur the distinction between your professional and private lives. You should also remember that social networks are public spaces, and that your comments and behaviour on these platforms become a part of the public record.

It is your responsibility to be vigilant about the content you share and the comments you post. As public servants, our use of social media must align with our core values set out in section 2.2 of this Code. In addition to respecting considerations of conflict of interest, privacy, and the principles outlined in section 2.1 of the Guideline on Acceptable Network and Device Use, content shared must not undermine the trust of your employer, stakeholders and other collaborative relationships, or the perceived impartiality of the federal public service. When using social media, you must refrain from:

- speaking on behalf of ECCC without official authorization;
- representing personal opinions as those of ECCC or the Government of Canada;

- expressing opinions or sharing content that could impair or create the impression of impairing your ability to perform your official duties in an impartial manner, such as posting critical comments on ECCC or Government of Canada policies or decisions;
- disclosing any non-public, classified, protected, confidential, sensitive, or third-party information held by ECCC or the Government of Canada, or personal information about colleagues;
- mistreating others or engaging in harassing or discriminatory behaviours, defamation, copyright infringement, misinformation or hate propaganda;
- creating posts or content that include the official symbols of the Government of Canada;
- endorsing, or providing an unfair advantage to a vendor, business, stakeholder or individual; and
- sharing Crown copyrighted content without proper authority.

Regardless of your level of responsibility, expertise or visibility, you must also make every effort to make sure that your personal account is not perceived as an official social media account of ECCC or of the Government of Canada.

If you are unsure about sharing content, exercise caution and consult with your manager or VID CoE.

4.11.2 Misinformation and disinformation

Our democracy relies on Canadians having access to diverse and reliable sources of news and information so that they can form opinions, hold governments and individuals to account and participate in public debate.

Misinformation and disinformation risk eroding trust in our democracy and contribute to challenges in accessing timely, relevant and accurate information. Public servants must not intentionally spread misinformation or disinformation through social media accounts, public forums, or other means.

We must also be aware of how to navigate misinformation and disinformation related to our work and how to help counter it. The question of whether to intervene should be treated on a case-by-case basis and should be well thought out. To guide your decision-making process, consult tools and resources on the Government of Canada website.

4.11.3 Artificial intelligence and automated decision systems

Artificial intelligence (AI) and innovative data tools offer many benefits in making data-driven decisions and optimizing service and program delivery. Despite these benefits, employees must be vigilant about the potential risks and challenges of using AI technologies as part of their work. Risks may include generating inaccurate content, amplifying biases and violating intellectual property, privacy and other laws.

Use of these tools must remain grounded in our core values and ethical standards. When deciding whether to use AI tools, employees should refer to the guide to ethical decision-making in section 6 of Values Alive: A Discussion Guide to the Values and Ethics Code for the Public Sector. Employees must understand the implications for clients, stakeholders and for the Department.

In addition, employees that use AI technologies to assist in making recommendations or decisions that impact the legal rights, privileges or interests of individuals or businesses outside of the government must adhere to relevant Government of Canada and ECCC policies, directives and guidelines on AI, which continue to evolve.

Employees that use any AI tool as part of their work should also ensure to complete the latest training courses on the ethical use of AI and automated decision-making from relevant sources, including from the Canada School of Public Service, Treasury Board Secretariat and ECCC.

4.11.4 Protecting intellectual property, personal and sensitive information

As an ECCC employee, you must:

- a. protect the intellectual property and privacy rights of clients in accordance with information management and security acts and policies, including ECCC's Intellectual Property Management Framework, the Copyright Act, the Foreign Interference and Security of Information Act, the Access to Information Act, and the Privacy Act;
- b. abide by any confidentiality terms that have been included in agreements with ECCC's clients or collaborators, and not disclose client intellectual property or confidential information externally or to those without a "need to know" unless authorized in writing by the client or collaborator and the ECCC manager;
- c. safeguard sensitive information and only use, process, store or handle protected or classified information for purposes specified by ECCC and as authorized by security screening level. You must not remove, hide, change, mutilate, copy, destroy, falsify or make public any sensitive information, record or document, or direct anyone to do so, without express authorization from management, unless it is part of your official ECCC duties. You should consult your supervisor for more information about how to treat specific information;
- d. not transmit full datasets collected by ECCC equities, personnel, or partners without consulting the Chief Security Officer;
- e. abide by the Public Servants Inventions Act and ECCC's Intellectual Property Management Framework. All intellectual property you create while acting within the scope of your duties or employment or made with facilities, equipment or financial aid provided by or on behalf of ECCC, will vest with His Majesty in the right of Canada. You must report an invention to ECCC (form available on ECollab only), regardless of where or how you conceived an invention, including while on leave with or without pay;
- f. refrain from the direct or indirect use of, or allowing the direct or indirect use of government property of any kind, including property leased to the government, intellectual property for anything other than officially approved activities; and
- g. in the international context, you must be vigilant in maintaining your professionalism and loyalty to ECCC and the Government of Canada in your relationships with representatives of other governments and international organizations and be mindful of your responsibility to protect intellectual property and sensitive information. You must also contact Chief Security Officer for security briefings before work-related travel outside of Canada.

5. Definitions

Conflict of duties

In the context of this Code, a conflict of duties, whether apparent, potential or real , arises not because of your private interests. Instead, a conflict of duties arises when you have a conflict involving one or more concurrent and competing responsibilities that are part of your official duties. A conflict of duties may arise when an official duty, such as participating as an ECCC representative on a board of an external organization or an adjunct professorship, also represents a private interest and may come into conflict with your primary duty to advance the interests of the Department.

Conflict of interest

In the context of this Code, a conflict of interest arises when you have a private interest that could improperly influence the performance of your official duties and responsibilities as an ECCC employee, or if you use your position for personal gain.

- i. An **apparent conflict of interest** exists when a reasonable, well-informed person believes that a private interest could improperly influence the performance of your duties. In this instance, appearances are very important. For example: being seen at a reception organized by a supplier while you are the manager responsible for approving the purchase of supplies from this vendor may appear to be a conflict of interest.
- ii. A **potential conflict of interest** has an element of foreseeability. It occurs when a private interest could come into conflict with your professional duties. An example would be membership and involvement in certain associations, such as joining an advocacy group that speaks out on various issues of the day. Even though the group may not have commented on the Department, there is a possibility, and perhaps likelihood, that it eventually will, which is why involvement would be a potential conflict of interest.
- iii. A **real conflict of interest** exists when your private interests are sufficient to influence the exercise of your professional duties. An example would be having the ability to influence a government decision from which you would derive a personal benefit. Being able to allocate grants to a company in which you own stocks would be a real conflict of interest.

Employee

Is to be interpreted broadly to cover all employees within ECCC, including those on leave with or without pay, casuals, term employees, volunteers, emeritus professors and students.

Intellectual property

Proprietary and/or technical information and/or know-how, including of scientific and technical discoveries of any kind and in a form which is useful, or has the potential to be useful, and transferable and which may be protected under law by way, but not limited to, patents, trademarks, copyrights, industrial designs, integrated circuit topographies and trade secrets.

6. Related links

[Values and ethics of the public service](#)

[Values and Ethics Code for the Public Sector](#)

[Directive on Conflict of Interest](#)

Public Servants Disclosure Protection Act
ECCC's Policy on Scientific Integrity
Open and Accountable Government
Conflict of Interest Act
Public Service Inventions Act
Financial Administration Act
Public Service Employment Act
Lobbying Act
Privacy Act
Foreign interference and Security of Information Act
Copyright Act
Criminal Code

7. Enquiries

For questions on the ECCC Values and Ethics Code, please email veconfid@ec.gc.ca.

Appendix A – Mandatory procedures for preventing and resolving conflict of interest and conflict of duties situations

Effective date

These mandatory procedures take effect on December 2, 2024.

1. Outside employment and activities

These procedures provide details of the requirements set out in **section 4.1** of the ECCC Values and Ethics Code.

The purpose of these procedures is to guide employees and management in preventing and managing conflicts of interest when an employee undertakes outside employment or activities related to the mandate, operations and resources of ECCC. These procedures include employee requirements, factors to consider to identify conflicts of interest, necessary approvals, and possible measures to manage conflict of interest risks.

You may engage in employment or activities outside ECCC unless the employment or activity is likely to give rise to an apparent, potential or real conflict of interest or would undermine the impartiality of ECCC or your objectivity as described in **section 4.1** of the ECCC Values and Ethics Code.

You are required to seek advice from the VID CoE at veconfid@ec.gc.ca in the decision-making process before engaging in the employment and outside activity if the activity or employment may give rise to an apparent, potential or real conflict of interest or undermine the impartiality of ECCC, the federal public sector, or your objectivity as an employee.

Section 5 of this Appendix provides direction on situations involving outside activities as part of your official duties, such as serving on a board or an adjunct professorship.

1.1 Definitions

Outside employment involves financial or other compensation for work that is not a function of an employee's official ECCC duties and may include, but is not limited to, the following situations:

- Outside employment while on leave of absence;
- Outside employment while on an Interchange Agreement or secondment;
- Owning a private business;
- Acting as a consultant; or
- Secondary employment.

Outside activity refers to being engaged in any other activity that an ECCC employee would perform on their personal time unless authorized otherwise. Outside activities that may give rise to an apparent, potential or real conflict of interest, but are not part of an employee's official duties, may include but are not limited to:

- Activities on behalf of non-governmental organizations;
- Participation on boards of directors;
- Volunteering;
- Academic or professional activities (research activities, teaching, etc.); or
- An activity that involves clients, collaborators, or stakeholders of ECCC.

1.2 Conflict of interest declarations

You must declare all current or potential outside employment or activities that might give rise to an apparent, potential or real conflict of interest to the VID CoE by submitting a conflict of interest declaration (form accessible only on the Government of Canada network).

You must consider the nature of your official duties and responsibilities in relation to your outside activity or employment and seek guidance from the VID CoE to determine if there is any apparent, potential or real conflict of interest between carrying out your official duties and responsibilities and your outside activity or employment.

The following are questions to consider when identifying conflicts of interest related to outside employment or activities:

1. Could a third-party reasonably believe that you have privileged access to scientific, technical, commercial information, client lists, intellectual property or market information that could benefit your outside employment or an external entity related to an outside activity?
2. Do you have supervisory responsibilities or access to equipment, information technology systems, intellectual property or other resources at ECCC or remotely that could benefit your outside employment, or an external entity related to an outside activity?

3. Could you influence colleagues or management, affect recommendations or make decisions in a way that could benefit your outside employment or have an impact on competitors of your outside employer or an external entity related to an outside activity?
4. As part of your official duties, do you interact with ECCC clients or other stakeholders who also have interactions with your outside employer, or an external entity related to an outside activity?
5. Does your outside employment or activity involve possible contracts or collaborations with ECCC?
6. Does your outside employment or activity involve receiving a benefit from ECCC directly or indirectly, separate from your regular employment with ECCC?
7. Could any ECCC business line or mandated function provide this service or product?
8. Is the outside employment or activity related to your official ECCC duties?

1.2.1 Funding and partnerships related to external academic or research activities

You must declare any current or potential research partnerships related to outside activities that are not part of your ECCC role if they could create apparent, potential or real conflicts of interest or other ethics risks that conflict with your public service role.

If you are seeking and/or receiving research funding, you must also seek guidance from the VID CoE.

1.3 Approvals

In addition to the requirement in **section 1.2** of this Appendix to declare possible conflicts of interest, you may be required to obtain the approval of your management for the outside employment and activities described below. This process is intended to proactively identify and address any conflicts between ECCC's interests and your interests related to your outside employment or activities. It also enables management to fulfill their responsibilities to effectively manage conflict of interest risks at ECCC, and to manage the potential demands on employee working time. The following approvals are required:

- **Outside employment**

If the VID CoE determines that the outside employment poses an increased risk, Director General (DG) approval must be sought

- **Membership on the board or advisory committee of a private sector firm**

Not generally permitted, and only with DG-level approval in consultation VID CoE

- **Membership on the board or advisory committee of a not-for-profit association or organization that may have current or future dealings with ECCC or the federal government**

DG-level approval, in consultation with VID CoE

- **Academic or research activities not part of official ECCC duties**

DG-level approval, upon recommendation by supervisor and in consultation with VID CoE.

If you receive monetary compensation for your adjunct professorship or other academic activities outside of your official ECCC duties, you must obtain prior written approval from VID CoE.

For guidance on adjunct professorships or memberships on boards **as part of ECCC official duties**, please refer to **section 4** of this Appendix.

1.4 Requirements during outside activity or employment

If you have been cleared to undertake outside employment or activities related to ECCC, you must abide by the following measures to prevent conflict of interest situations:

- a. Refrain from disclosing, using or benefitting from confidential ECCC business or scientific information and intellectual property;
- b. Refrain from conducting outside employment or activities during ECCC work hours and/or using ECCC assets without pre-authorization from your ECCC manager;
- c. Refrain from speaking or acting on behalf of ECCC;
- d. Remove yourself from any discussion, decision, debate or vote if you would be in a conflict with your ECCC duties;
- e. Declare a possible conflict of interest and recuse yourself if ECCC's interests are indirectly affected by the external entity's discussions and seek guidance from the VID CoE when applicable;
- f. Ask that actions such as the above declaration or recusal from discussions be recorded in the relevant documents, such as minutes or reports where applicable; and
- g. Only accept hospitality that is infrequent and of minimal value within the normal standards of courtesy or protocol and decline any gifts or other tokens for service that are not consistent with **section 4.7** of the ECCC Values and Ethics Code.

If the VID CoE deems that the outside employment or activity poses a significant conflict of interest risk, additional mitigating measures may be imposed.

These measures may include:

1. Ensuring, with your supervisor, that outside employment or activities do not interfere with the normal conduct of your ECCC duties;
2. Not representing ECCC in its business dealings with an outside employer or its competitors;
3. Not representing the outside employer or other entity in its dealings with ECCC;
4. Not advertising services or soliciting clients for outside businesses through business cards, brochures, or other materials while acting in an ECCC capacity;

5. Not using an official title or relationship with ECCC in business marketing materials or social media platforms;
6. Recusing yourself from ECCC discussions and decisions related to your outside employer and its competitors even if this means limiting your client base;
7. Informing others, internal or external parties, of the outside employment on a need-to-know basis as determined by management;
8. Not using ECCC resources that could contain trade secrets or financial, scientific or technical information, or intellectual property concerning the outside employer or its competitors;
9. Ensuring that ECCC establishes a financial arrangement or collaboration agreement in a situation where you require the use of any ECCC resources to carry out an outside activity or employment, including as an adjunct professor;
10. Taking steps with management to ensure that there is no appearance that work related to the outside employment is conducted with ECCC information, equipment, systems or resources;
11. Providing relevant information to management for a trial period or on an ongoing basis;
12. Removing yourself from supervision of staff or students involved in projects with an ECCC client, collaborator or service provider, and
13. Terminating your outside employment or activities or take leave without pay.

2. Contractual arrangements with the Government of Canada

With regard to **section 4.3** of the ECCC Values and Ethics Code, you must obtain approval from the Deputy Minister before entering into a contract or contractual arrangement with the Government of Canada for which you may receive any direct or indirect benefit or income.

2.1 Before accepting and participating in a contract

You are required obtain Deputy Minister approval by reporting to the VID CoE at veconfid@ec.gc.ca all potential contractual arrangements that may provide you with a direct or indirect benefit or income from the Government of Canada.

You must provide the following information, at a minimum:

- The legal and common name, if any, of the entity directly contracting with the Government of Canada;
- The relationship of the person employed with the contracting entity;

- The name(s) of the Government of Canada organization(s) involved in the contract;
- The duties set out within the potential contract to be undertaken by the person employed; and
- The role and duties of the person employed within the Government of Canada.

The VID CoE will assess the arrangement to identify any apparent, potential or real, conflict of interest risks and will provide guidance on mitigation measures to assist the Deputy Minister in determining whether the arrangement should be approved.

If the arrangement is approved by the Deputy Minister, you must implement any required mitigation measures.

2.2 During the contract lifecycle

During the contract lifecycle, you must:

- abide by and maintain any mitigation measures;
- report any changes to the VID CoE, who will advise the Deputy Minister;
- re-execute the requirements of **section 2.1** of this Appendix before any change in position through any staffing mechanism, whether in the same or different organization, as necessary; or cease to participate in or terminate the contract;
- re-execute the requirements of **section 2.1** of this Appendix if the conditions of the contract change; and
- notify the VID CoE upon completion of the contract, who will advise the Deputy Minister.

2.3 Other requirements

In the case of an initial appointment to the public service, if you receive a benefit or income, either directly or indirectly from an existing contract with the Government of Canada, you must meet the requirements of **section 2.1** of this Appendix or cease to participate in or terminate the contract before your appointment.

You must also comply with any request from the Deputy Minister and the VID CoE for information or direction regarding the relationship of the person employed with the contract.

3. Financial conflicts of interest, reportable and non-reportable assets and liabilities

These procedures provide details on the requirements set out in **section 4.4** of the ECCC Values and Ethics Code.

3.1 Reportable assets and liabilities

You must carefully evaluate on a regular basis whether your assets and liabilities need to be included in a conflict of interest declaration. In doing so, you must take into consideration the nature of your official duties and the characteristics of your assets and liabilities. If you identify any apparent, potential or real conflict of interest between your official duties and your personal assets or liabilities, you must file a conflict of interest declaration.

For ECCC's list of reportable and non-reportable assets and liabilities, please refer to the [conflict of interest declaration form](#) (accessible only on the Government of Canada network).

The list of reportable and non-reportable assets is not exhaustive. If in doubt about what to report, contact the VID CoE at veconfid@ec.gc.ca.

3.2 Financial mitigation strategies

3.2.1 Divestment

When an employee divests their asset or liability to completely eliminate any risk of an apparent, potential or real conflict of interest situation, it must be done through a sale or transfer to another person at arm's length, by relinquishing the asset or by paying the debt or extinguishing the liability.

Any divestment must be documented and must consist of the total interests in the asset or liability of the person employed.

Copies of documentation verifying the sale or transfer must be provided to the VID CoE within the reasonable time frame determined.

3.2.2 Activity withdrawal measures

An activity withdrawal measure occurs when an employee recuses themselves from an outside activity related to their assets or liabilities to mitigate a conflict of interest. Activity withdrawal measures must be documented and provided to the VID CoE within the time frame determined.

When sharing necessary financial information of the employee with internal parties for the effective implementation of the recusal measure, the personal concerns of the employee will be taken into account.

3.2.3 Blind trust agreements

Assets placed in a blind trust must be managed by a trustee who is empowered to exercise all of the rights and privileges associated with the assets, including the power to sell, with no direction from or control by the employee.

The trustee must be at arm's length from the employee.

The terms of the blind trust agreement must contain the following provisions:

- a. The assets placed in the trust must be listed on a schedule attached to the agreement. The list of assets must include, at a minimum, all assets giving rise to an apparent, potential or real conflict of interest;

- b. The assets to be placed in trust must be registered to the trustee or held and administered by the trustee under law, unless they are in a Registered Retirement Savings Plan account;
- c. The trustee can, at their discretion, modify the composition of the trust estate or the account;
- d. The employee must have no power of management or control over the trust assets;
- e. The employee cannot offer or provide advice to the trustee, or in any way participate in any of the trustee's decision-making processes, except as set out in subsection (j), or through written notices or advisements permitted under the trust agreement;
- f. The trustee must not seek or accept any instruction or advice from the employee on how to manage or administer the assets, except as set out in subsection (j);
- g. The trustee must not provide information about the trust, including its composition, to the person employed, except for information that the employee is required to file by law and for periodic reports on the overall value of the trust;
- h. The term of the trust must be for as long as the employee is required to comply with these mandatory procedures and as long as the conflict of interest relating to the assets continues;
- i. The trustee must deliver the trust assets to the employee or other person identified in the agreement when the trust is terminated;
- j. Within 60 calendar days following the anniversary date of the blind trust agreement's execution or other date provided in the agreement, the trustee must provide the VID CoE with an annual report containing the information required under the agreement.

General investment instructions may be included in an additional schedule to the trust agreement that provide for proportions to be invested in various categories of risk, but may not be industry-specific.

The employee must provide a copy of the executed agreement to the VID CoE in the time frame set by the designated senior official.

The employee cannot have access to the annual report as long as the measures to manage the conflict of interest are required.

Within 60 calendar days following each 10th anniversary date of the blind trust agreement, the VID CoE must ensure that the terms are still valid with respect to mitigating the conflict of interest.

3.2.4 Blind management agreements

A blind management agreement must be managed by a manager who is empowered to exercise all of the rights and privileges associated with the assets.

The manager must be at arm's length from the person employed.

The terms of the blind management agreement must include the following:

- a. The assets to be managed under the agreement must be listed on a schedule attached to the agreement. The list of assets must include, at a minimum, all assets giving rise to an apparent, potential or real conflict of interest;
- b. The employee must have no power of management or control over the managed assets;
- c. The manager of the agreement must not seek or accept any instruction or advice from the employee concerning the management of the assets. The employee cannot offer or provide advice to the manager, nor can the employee participate in any discussion or decision-making processes, wherever they may arise, that may particularly or significantly affect the assets that are subject to the agreement;
- d. The employee is prohibited from contacting the manager of the agreement. However, the employee is entitled to be kept informed of the overall value of the assets for the duration of the agreement;
- e. Within 60 calendar days following the anniversary date of the blind management agreement's execution or other date provided in the agreement, the manager of the agreement must provide the VID CoE with an annual report containing the information required under the agreement.
- f. Notwithstanding subsection (d), the agreement may also contain the following provisions:
 - o If the manager of the agreement believes that an extraordinary corporate event is likely to materially affect the value of the assets, the manager of the agreement must inform the VID CoE of that fact. If the VID CoE concludes that the circumstances may cause significant undue loss or hardship to the employee, financial information as approved by the VID CoE, with the authorization of the Deputy Minister, may be provided to the employee;
 - o In exceptional circumstances only, the employee may personally intervene, but only after the VID CoE has determined that the intervention would not give rise to a conflict of interest situation and that failure to intervene would cause the employee undue loss or hardship.
- g. The term of the agreement must be for as long as the employee is required to comply with these mandatory procedures and as long as the conflict of interest relating to the assets continues.
- h. A copy of the executed agreement must be provided to VID CoE within the time frame set by the VID CoE.
- i. The employee cannot have access to the annual report as long as the measures to manage the conflict of interest are required.
- j. Within 60 calendar days following each 10th anniversary date of the blind management agreement, the VID CoE must ensure that the terms are still valid with respect to mitigating the conflict of interest.

3.2.5 Other trusts and management agreements

Other forms of trust or management agreements must comply with the requirements provided in these mandatory procedures for blind trusts or blind management agreements, respectively.

3.2.6 Agent arrangements

An agent arrangement, such as powers of attorney or mandates that empower someone to act on behalf of another person, must be governed by and interpreted under Canadian laws.

3.2.7 Asset-freezing arrangements

An asset-freezing agreement is between the person employed and the VID CoE and must be in writing.

Under an asset-freezing arrangement, an employee cannot have direct control over the assets that give rise to a conflict of interest.

The employee must select a trustee, agent, manager or investment advisor who is at arm's length from the employee to administer the asset-freezing arrangement.

The terms of the asset-freezing agreement must contain the provisions in the blind trust agreements if it is in the form of a trust, along with the following provisions:

1. At least once a year, the employee must provide the VID CoE with a statement received from a trustee, an agent, a manager of the agreement, or an investment advisor, indicating that there has been no activity on the part of the person employed in relation to the assets;
2. The trustee, agent, manager of the agreement or investment advisor issuing the statement must be in a position to know whether the employee has been involved in the assets;
3. The employee must provide the VID CoE with a copy of the statement within the time frame set out in the agreement.

3.2.8 Cost reimbursement

Reimbursement of reasonable administrative costs incurred on behalf of the employee as a result of implementing any of the financial mitigation strategies described in **section 3.2** of this Appendix will be determined by the VID CoE, as delegated by the Deputy Minister.

The employee will be responsible for any income tax adjustment or other adjustment that may result from the administration cost reimbursement.

4. Political activities

4.1 Definitions

Political activities are defined in Part 7 of the PSEA as “any activity in support of, within or in opposition to a political party; carrying on any activity in support of or in opposition to a candidate before or during an election period; or, seeking nomination as or being a candidate in an election before or during the election period.”

Political activities other than seeking nomination or being a candidate include, but are not limited, to the following:

- Joining a political party
- Contributing and/or raising funds for a political party, organization or candidate
- Attending political party events, such as meetings, conventions, or rallies
- Carrying out administrative activities for a political party candidate, such as stuffing envelopes, answering or placing telephone calls
- Using social media or displaying political material to support or oppose a political party or candidate

4.2 Requirements

ECCC recognizes that the fundamental principle of non-partisanship in the federal public sector should be balanced with the fundamental freedoms guaranteed in the Canadian Charter of Rights and Freedoms.

You have the right to be involved in political activities as long as it does not impair, or is perceived as impairing, your ability to perform your duties in a politically impartial manner.

Before deciding whether to engage in a political activity, you should consider: (1) the nature of the activity; (2) the nature of your ECCC duties; and (3) the level of visibility of your position.

In consultation with the Designated Political Activities Representative (DPAR) and the VID CoE, you must seek permission of the Public Service Commission (PSC) before:

- Enrolling as a candidate for election to public office, whether it be a federal, provincial, territorial or municipal office; and
- Registering as a candidate for the nomination of a political party or other political association as its candidate for election to public office, whether it be for a federal, provincial, territorial or municipal office.

All employees – including those on leave without pay and other forms of leave – are subject to these requirements.

4.3 Conflict of interest declarations

You are required to submit a conflict of interest declaration (form accessible only on the Government of Canada network) to the VID CoE:

- If considering seeking a nomination as a candidate or becoming a candidate in a federal, provincial, territorial or municipal election; and
- Before engaging in non-candidacy political activities that could constitute a conflict of interest or impair your ability to perform your duties and responsibilities in an objective and impartial manner.

Should you wish to be involved in one or more political activities, it is strongly recommended that you complete the PSC's Political Activity Self-Assessment Tool. This tool is intended to help public servants make reasonable decisions about their involvement in political activities and the impact on their ability to perform their duties in a politically impartial manner.

4.4 Seeking nomination in a federal, provincial, territorial or municipal election

As a federal public service employee, you must obtain permission from the PSC to seek nomination as, or be, a candidate before or during the election period and before publicly declaring your intention to do so.

If you wish to seek nomination for a federal, provincial or territorial election, you must complete the following:

1. Submit a request for permission to be a candidate to the DPAR, to obtain Deputy Minister input (federal) or Assistant Deputy Minister input (provincial and territorial) regarding political impartiality and operational concerns, at least 45 working days before the day on which you require a decision from the PSC;
2. Upon reception of the Deputy Minister's input, submit a completed request for permission and its attachments to the PSC no later than 30 days before the date on which you require a decision.

If you wish to run for political office for municipal election, you are only required to complete a request for permission and its attachments and send it to the PSC no later than 30 days before the date on which you require a decision.

For more information on political activities, refer to the PSC Web site.

5. Adjunct professorships, memberships on committees and boards and other collaborative positions on behalf of ECCC

This section outlines the requirements for employees in collaborative positions, such as adjunct professorships, as well for those serving on committees and boards **as part of their official ECCC duties**. It also specifies the necessary approvals for these activities.

Section 1 of this Appendix provides guidance for ECCC employees considering outside employment or activities with external organizations that are **separate from their official duties**. If you have an academic affiliation, adjunct professorship or serve on committees and boards **outside of your ECCC duties**, please see **section 1.2** of this Appendix for guidance on declaring conflicts of interest related to outside employment or activities.

You are encouraged to seek advice from the VID CoE at veconfid@ec.gc.ca in your decision-making process.

5.1 Definitions

A **conflict of duties** may arise when an employee participates in outside activities on behalf of ECCC. A conflict of duties is a conflict that arises because of concurrent and competing responsibilities in a collaborative or outside position **on behalf of ECCC**, such as membership on an external committee or board or adjunct professorship as described below.

5.2 Activities on behalf of ECCC

5.2.1 Membership on committees and boards

For guidance on membership on committees and boards **outside of ECCC duties**, please refer to **section 1** of this Appendix.

Although your membership is generally considered within the scope of your duties, if you are appointed or named to serve on a board of directors as a representative of ECCC, you must be aware that potential conflicts of interest or conflicts of duties may still arise in these situations.

It is important to remember that, as an ECCC representative on any board of directors, you are there to represent the Department, rather than to provide your personal perspective or to advance any personal interests you may have.

A conflict of duties situation may occur where your duties as an ECCC representative on the board of an external organization may come into conflict with any sense of duty you may feel toward the external organization itself. If this ever happens, you must remember that your primary duty is to advance the interests of ECCC, which take priority over the interests of the external organization.

5.2.2 Adjunct professorships and other collaborative positions

ECCC recognizes the significant potential benefits and positive impact for the Department, and the research community more broadly, that may be achieved through employee collaborations and contributions to education and research carried out in universities and other postsecondary institutions and research organizations. This type of contribution can include formal appointments to adjunct professorship roles or other functions such as supervising internships, research or theses; managing projects or funds for the university; teaching courses; and conducting seminars and workshops. They may also supervise graduate students, be part of research collaborations, serve on thesis advisory committees, or act as examiners for thesis defences or as pre-submission readers of theses.

An ECCC employee who is an adjunct professor outside of their ECCC duties is subject to **section 1** of this Appendix.

It is important to note, however, that the adjunct professor role can give rise to conflict of interest situations for ECCC employees. In addition to obtaining approval as per **section 5.5** of this Appendix for your adjunct professor position, you are expected to seek the advice of management and the VID CoE to prevent, resolve and manage possible conflict of interest situations related to this role.

You must pay particular attention to protecting sensitive information and the intellectual property of ECCC and its clients. You should also seek security briefings before travelling outside of Canada.

Without proper assessment and authorization from ECCC management and the VID CoE, conflict of interest and conflict of duties situations related to adjunct professor roles may include, but are not limited to:

Travel to conferences

- Receiving paid travel and accommodation from a university with which you have official dealings in your ECCC role exclusive of your adjunct duties. More information on travel offers from third parties is found in **section 6.4** of this Appendix.

Preferential treatment

- Hiring university students at ECCC whom you have supervised in the context of your adjunct professorship.
- Relationships with students or collaborators (either relative or associate relationships).
- Providing grants and contributions funding to the university where you are an adjunct professor.

Access to sensitive information/intellectual property

- Access to sensitive ECCC or private sector company intellectual property that could be of benefit to a university research project.

Contract requirements

- An adjunct professor's contract that includes a commitment that is in conflict with the interest of ECCC.

Remuneration – paid or unpaid (contracts)

- Receiving remuneration from a university and also in a position to recommend or approve funds for that same institution.

Use of ECCC resources

- ECCC resources are required to carry out university project activities.

University project manager

- Acting on behalf of the interests of both the university and ECCC simultaneously.

5.2.3 Funding for research activities on behalf of ECCC

In accordance with the Treasury Board Policy on Transfer Payments and the Tri-agency policy on the use of funds for federal government employees applying to granting agency programs, ECCC employees are ineligible to receive tri-agency or federal funding for research activities that fall within the mandate of ECCC.

If you are seeking and/or receiving funding from sources external to the Government of Canada, you must also seek guidance from the VID CoE.

5.3 After accepting appointment

As an ECCC employee serving in such roles as part of your official duties, you are required to:

- Only accept hospitality that is infrequent and of minimal value (less than \$40) within the normal standards of courtesy or protocol and decline any gifts or other tokens for service that are not consistent with the ECCC Values and Ethics Code;
- Refrain from disclosing confidential ECCC business information, intellectual property and act within the frame of established ECCC business practices;
- Not use your role as a member of an outside body to influence a decision to further private interests; and
- Share these requirements with the organization concerned.

5.4 During meetings

As an ECCC employee serving in such roles as part of your official duties, you must:

- Remove yourself from any discussion, decision, debate or vote if you would be in a conflict with your primary ECCC duties;
- Declare a conflict if ECCC's interests are indirectly affected by the external body's discussions and seek guidance at the committee or board level; and
- Ask that actions such as the above declaration or recusal from discussions be recorded in the relevant documents, such as minutes or reports.

5.5 Approvals

You must obtain approval from management (as described below) after ensuring that the organization involved has a robust governance infrastructure of terms of reference, defined roles, dedicated secretariat support, processes and, when relevant, insurance or other arrangements to limit participant liabilities.

Because of the demands on your working time, the potential for conflicts with outside entities, and your responsibility to act in ECCC's best interests, you are expected to have written approval from management as follows:

- **Membership on the board or advisory committee of a private sector firm**

Not generally permitted and only with DG approval in consultation with VID CoE

- **Membership on the board or advisory committee of a not-for-profit association or organization that may have current or future dealings with ECCC or the federal government**

DG approval, in consultation with VID CoE

- **Adjunct professorship as part of official ECCC duties**

DG approval, upon recommendation by supervisor and in consultation with VID CoE

If you receive monetary compensation for your adjunct professor duties or other academic activities outside of your official ECCC duties, you must obtain prior written approval from VID CoE.

For guidance on approvals required for employees who work as adjunct professors or who are members of committees or boards **outside of their ECCC duties**, please refer to **section 1.3** of this Appendix.

For additional guidance, please refer to ECCC policies and procedures for adjunct professorships and collaborative positions (currently in development).

5.6 Scientific integrity

In addition to complying with ECCC's Values and Ethics Code and this Appendix, all employees engaged in science and research at ECCC must also comply with ECCC's Policy on Scientific Integrity. In the case of a disagreement, the Values and Ethics Code will supersede the Policy on Scientific Integrity.

6. Gifts, hospitality and other benefits

These procedures provide details on the requirements set out in **section 4.7** of the ECCC Values and Ethics Code.

You are expected to use your best judgment to avoid situations of apparent, potential or real conflicts of interest by considering the following criteria on gifts, hospitality and other benefits while keeping in mind the full context of the Values and Ethics Code for the Public Sector and the ECCC Values and Ethics Code.

6.1 Acceptance

You should not accept any gifts, hospitality or other benefits that may have an apparent, potential or real influence on your objectivity in carrying out your official duties and responsibilities, or that may place you under a real or perceived obligation to the donor. This includes activities such as (but not limited to) free or discounted admission to sporting and cultural events, travel or conferences and the acceptance of gifts, hospitality or other benefits from current vendors or bidders.

You are expected to advise management if you are offered a gift, hospitality or other benefit beyond a minimal value of \$40.

Although the normal expectation is to not accept gifts, hospitality or other benefits, it is permissible if they:

- are infrequent and of minimal value below \$40, such as low-cost promotional objects, or souvenirs with no cash value
- are within the normal standards of courtesy, hospitality or protocol, particularly within the international or indigenous context
- arise out of activities or events related to official duties, and
- do not compromise or appear to compromise your integrity or that of ECCC in any way.

In case of doubt, it is best to decline the gift, hospitality or other benefits.

Caution:

Soliciting or accepting a commission, reward, advantage or benefit of any kind from a person or organization that has dealings with the Government of Canada, including current vendors or bidders, without obtaining the required written consent by the Deputy Minister and the VID CoE, is an offense under the *Criminal Code* and a serious breach of the ECCC Values and Ethics Code. This could be considered a bribe.

6.2 Situations where it may be impossible to decline a gift, hospitality, other benefits

You are expected to seek written direction from management or the VID CoE where it is impossible to decline gifts, hospitality and other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to ECCC to warrant acceptance of a certain type of hospitality. In such cases, you are expected to promptly declare the gift, hospitality or benefit and seek written direction on what to do (for example, accept the gift on behalf of ECCC, accept the gift and donate it to charity, etc.). The VID CoE can provide options in these situations.

6.3 Honoraria

If you participate in events in an official capacity (speaker at a conference, panel etc.), you must not accept any form of honorarium, regardless of whether such participation was during or outside work hours.

6.4 Travel offers from a third party

In the course of your duties, you may receive offers from stakeholders to cover travel-related costs when you are called upon to collaborate with them or are invited to a conference as a speaker or guest.

You must inform management or the VID CoE if a third party offers to pay or reimburse the costs related to your travel. Management is encouraged to seek guidance from the VID CoE on whether or not to accept an offer of travel. The situation will be assessed to determine if the offer poses a risk of an apparent, potential or real conflict of interest, or whether it may have, or give the appearance of having, influence on your objectivity in carrying out your official duties. You must also ensure that the acceptance of the offer would not contravene any legal, financial or policy requirements.

Accepting any offer of funded travel from a third party is **unacceptable** when:

- it would result in a direct personal benefit from the third party
- the offer of funded travel was solicited
- the third party is a potential or current supplier to ECCC
- the third party actively lobbies ECCC, or
- the third party receives grants or contributions from ECCC, unless a cost-sharing or non-discretionary agreement exists between ECCC and the organization.

If management decides that there is a benefit and a value added for an ECCC employee to attend such an event, then ECCC funding may be identified to cover the cost of the travel.

7. Preferential treatment and working with relatives or associates

This section offers direction to managers and employees in dealing with situations of possible preferential treatment or where they become involved with a relative or an associate, as defined in **section 7.1**, in the course of their official duties.

7.1 Definitions

Relatives refers to all persons who are related by blood, adoption or marriage. This includes father, mother, spouse, legally recognized common-law relationships, brother, sister, son, daughter, son-in-law, daughter-in-law, uncle, aunt, cousin, nephew, niece, and the immediate family of the husband or wife, or adopted children.

Associates refers to current or former relationships resulting from circumstances or affinities, for example: business or professional association, common interest acquaintance, social or romantic relationship, friendship, or any other relationship that could be or be perceived to be prejudicial to workplace relations or functions.

The closeness and visibility of the relationship are factors to consider in determining the extent to which the definition of relative or associate may be applied.

7.2 Requirements

You must make every effort to avoid situations, or the appearance of a situation, where a person or entity might profit from special consideration or benefit from preferential treatment.

ECCC management and employees must ensure that appropriate measures are taken where apparent, potential or real conflict of interest situations arise or where the possibility of preferential treatment exists.

7.3 Conflict of interest declarations

As outlined in the ECCC Values and Ethics Code and **section 1** of this Appendix, you must consider the nature of your official duties and responsibilities in relation to your outside employment or activity, and seek guidance from the VID CoE to determine if there is any apparent, potential or real conflict of interest between carrying out your official duties and responsibilities and your outside employment or activities.

If there is any apparent, potential or real conflict of interest situation related to working with a relative or associate, or there is any question as to whether such a situation may exist, you must declare this matter to the VID CoE by submitting a conflict of interest declaration.

7.4 Reporting and other relationships

Given that management is expected to be unbiased and fair in managing their teams, a reporting relationship between relatives or associates is a real conflict of interest and must be avoided since it creates the appearance of preferential treatment. The closeness and visibility of the relationship are factors to consider in determining the extent to which the definition of relative or associate may be applied.

Project leads, team leads and committee chairs must also avoid conflict of interest situations involving relatives or associates.

7.5 How to avoid preferential treatment

Management must ensure that relatives and associates remain outside of their immediate team or line of control. This means managers must have no influence, input or decision-making over a relative's or associate's performance evaluation, salary, promotion, special permissions, conditions of work and similar matters. The VID CoE may approve an exemption when appropriate.

Relatives and associates may work in the same work unit if there is no reporting relationship or opportunity for favouritism (apparent or real) or conflict of interest (apparent, potential or real).

7.5.1 Staffing

ECCC must provide full and equal opportunity to all employees or persons seeking employment in the organization. Appointments must be made according to merit and must not be denied on the basis of personal relationships.

You must inform the hiring manager if you are asked to take part in a staffing action that involves a relative or an associate.

The participation of a board member who has a relationship with a candidate (relative or associate) must be governed by good judgment and with full disclosure and the consent of the person chairing the board.

Selection boards must **exclude** persons whose relationship to any of the candidates could compromise the objectivity, impartiality or integrity of the board. This includes all stages of a staffing action once the relationship with a candidate becomes known, including the screening of candidates, the assessment process and determining the successful candidate(s).

If you do not inform the hiring manager of an apparent, potential or real conflict of interest related to a staffing action, as outlined in the ECCC Values and Ethics Code and this Appendix, you may be subject to disciplinary measures, up to and including termination of employment.

7.5.2 Procedures for conflict of interest situations in staffing

If the hiring manager has a potential conflict of interest, such as identifying a relative or an associate who has applied to their competition, they must inform their management and the hiring advisor before completing the screening and assessment process. The situation will then be assessed to determine if alternative arrangements should be made to manage the competition file. If the "known" candidate is selected, a further review of the reporting structure will be conducted.

If you are invited to be on an interview panel and recognize a potential conflict of interest, such as identifying a relationship with a candidate, you must inform the hiring manager. The situation will then be assessed to determine if measures should be taken, such as replacing the panel member.

At locations where resources are limited, an alternate solution may be the establishment of a roster of qualified employees to participate as selection board members to ensure impartiality and equitability.

7.5.3 Staffing recourse

Candidates are encouraged to discuss their concerns and seek information about their individual assessment from the hiring manager or a human resources professional. Internal candidates who believe that they have not been fairly treated in the application of the hiring policy and hiring procedures may file a grievance.

7.6 Other conflict of interest situations involving relatives and associates

You must promptly seek advice from your management or the VID CoE where your duties and responsibilities might give rise to other conflict of interest situations, such as:

- audit, review, inspection or approval of work of a relative or associate;
- consideration of a grievance filed by a relative or associate;
- recommendation or issuance of funds to a relative, associate or entity that employs a relative or associate;
- approval of travel or reimbursement claims involving a relative or associate;
- selection for appointment, training or development of a relative or associate; or
- authorization of leave to a relative or associate.

7.7 Relationships and partnerships with external stakeholders

ECCC employees are often called upon to engage with academic, public and industrial partners, and other stakeholders in collaborative relationships. It is important for us to be, and to be perceived as being, impartial and objective in all dealings with all ECCC stakeholders, and to remember that we represent ECCC and the Government of Canada. Care must be taken to keep relationships with stakeholders professional and to avoid any apparent, potential or real conflicts of interest.

You must also refrain from undertaking or participating in financial arrangements, including procuring goods or contracting services, or administering grants and contributions transfer payments or collaboration agreements with, or on behalf of, outside entities or individuals, where there is a risk for an apparent, potential or real conflict of interest or conflict of duties situation.

In some communities, ECCC is a visible and significant part of the community and longstanding professional relationships develop. In such cases, it may be a greater challenge for employees to keep their professional and personal lives separate. Maintaining our professional demeanour in public spaces and understanding how our personal behaviour can affect our professional roles becomes especially important in these circumstances.

7.8 Exceptions

In specialized research areas, where there is a limited number of qualified personnel, any necessary operations that deviate from the principles outlined in this Appendix must be fully documented and justified. Administrative measures must be put in place to minimize and manage the conflict of interest situation.

8. Post-employment

These procedures provide details on the requirements set out in **section 4.10** of the ECCC Values and Ethics Code.

As an employee, you have a responsibility to minimize the possibility of apparent, potential or real conflicts of interest between your most recent responsibilities within the federal public service and your future employment outside the public service.

8.1 Leaving the Public Service

Before leaving ECCC, you must report in writing to the VID CoE:

- all intended future employment and activities that might give rise to an apparent, potential or real conflict of interest in relation to your official duties and responsibilities at ECCC; and
- any intellectual property, know-how and technical data you have conceived or developed during your employment at ECCC, if it has not already been fully disclosed on an Invention Disclosure Form (accessible only on the Government of Canada network), in other disclosures to the Intellectual Property team (such as disclosures pertaining to copyright or trade secrets), or in publications or technical reports.

8.1.1 Limitation period for designated positions

Employees in designated positions are subject to a one-year limitation period after leaving office. Designated positions include all EX, EX minus 1 and EX minus 2 positions and their equivalents, and any individual positions designated by the Deputy Minister. Before leaving the public service and during this one-year limitation period, these employees are to report to the VID CoE all firm offers of employment or proposed activity outside the public service that could place them in an apparent, potential or real conflict with their public service employment. They must also disclose immediately the acceptance of any such offer. In addition, these employees may not do the following during the one-year period, without the Deputy Minister's authorization:

- accept appointment to a board of directors of, or employment with, private entities with which they had significant official dealings in the year immediately before leaving their employment in the public service (the official dealings in question may either be directly on the part of the employee or through subordinates);
- make representations on behalf of individuals or entities outside of the public service to any federal government organization with which they had significant official dealings in the year immediately before leaving their employment in the public service (the official dealings in question may either be directly on the part of the employee or through subordinates); or
- give advice to their clients or employer using information that is not publicly available concerning the programs or policies of the departments or organizations with which they were employed or with which they had a direct and substantial relationship.

Even if your position is not identified in 8.1.1, if there is a risk of apparent, potential or real conflict of interest in your post-employment situation, employees are to seek guidance from the VID CoE before accepting an offer.

8.1.2 Waiver or reduction of limitation period

An employee or former employee may make a written request to the Deputy Minister for a waiver or reduction of the one-year limitation period. The employee must provide sufficient information to the VID CoE, who will assist the Deputy Minister in making a determination as to whether to grant the waiver, taking into consideration the following criteria:

1. The circumstances under which the termination of their service occurred;
2. Their general employment prospects;
3. The significance to the government of the information they possessed by virtue of their position or former position in the public service;
4. The desirability of a rapid transfer of their knowledge and skills from the government to private, other governmental or non-governmental sectors;
5. The degree to which their new employer might gain unfair commercial or private advantage;
6. The authority and influence they possessed while in the Department; and/or
7. Any other consideration at the discretion of the Deputy Minister.