

**LEGISLATIVE ASSEMBLY OF BRITISH COLUMBIA
POLICY MANUAL**

SECTION	Human Resources
POLICY	4015 – Standards of Conduct

Objective To outline the principles and values that guide employees of the Legislative Assembly and the conduct expected of employees in all activities related to their employment.

Application This policy applies to all employees of the Legislative Assembly appointed under section 39 of the *Constitution Act* (R.S.B.C. 1996, c. 66).

Authority Legislative Assembly operational policies are approved by the Clerk of the Legislative Assembly, as per *Policy 1000 – Legislative Assembly Policy Framework*.

Key Definitions “**conflict of interest**” means a situation in which an employee has private interests, obligations or activities that influence, could influence, or could be perceived to influence the performance of the employee’s duties or in which the employee could use or be perceived to use their position or employment for personal gain. A conflict of interest may be:

- a) real (a conflict exists);
- b) perceived (a person could reasonably conclude that a conflict exists); or
- c) potential (a conflict could reasonably exist in the future);

“**family member**” means any person an employee lives with, or is related to by genetics, marriage, common-law, adoption, or guardianship, or a person an employee considers as their chosen family. A family member of an employee’s partner is also considered a family member of the employee (e.g., child, parent, sibling of an employee’s partner);

“**gift**” means an item of value, which may be a commission, reward, advantage, benefit, or hospitality.

1. General .01 Compliance with this policy is a term and condition of employment. An employee must:

- a) at the beginning of their employment, read this policy and sign an acknowledgement that they are aware of their responsibilities and expectations for employee conduct;
- b) review this policy on an annual basis; and
- c) maintain an understanding of their obligations under this policy and seek clarification from Human Resources if they

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have questions about how this policy applies to their work or individual circumstances.

- .02 An employee must exhibit the highest standards of conduct to instil confidence and trust, and not bring the Legislative Assembly into disrepute.
- .03 An employee must act with integrity, honesty, loyalty, accountability, and in a manner that respects confidentiality. An employee is expected to conduct their work in serving all Members of the Legislative Assembly impartially, in a manner that upholds the collective integrity and values of the Legislative Assembly Administration.
- .04 If a conflict of interest or other matter under this policy involves the Director, Human Resource Operations or the Chief Human Resources Officer, the Clerk of the Legislative Assembly will fulfill the responsibilities of the Director, Human Resource Operations as outlined in this policy.

2. Oath of Employment

- .01 The Oath of Employment reinforces the significant trust placed in an employee and highlights the importance of an employee conducting their work with integrity, honesty, loyalty, and impartiality. An employee must swear or affirm the Oath of Employment as a condition of employment.
- .02 The Oath of Employment must be administered to an employee within the first 30 days of employment by the Clerk of the Legislative Assembly or their designate.
- .03 The Oath of Employment forms part of an employee’s file. If employment is terminated and the employee is later employed again by the Legislative Assembly, the Oath of Employment must be sworn or affirmed again.

3. Duty of Loyalty

- .01 An employee owes a duty of loyalty to the Legislative Assembly as their employer. This means an employee must:
 - a) act honestly and in good faith;
 - b) act in the best interests of, and serve, the Legislative Assembly to the best of their ability; and
 - c) refrain from public criticism of the Legislative Assembly.

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- 4. Confidentiality**
- .01 An employee must safeguard and maintain the confidentiality of operational, financial, personal, and sensitive information that they have access to or come into possession of in the course of their employment. This includes:
 - a) only accessing confidential information when there is a direct operational need;
 - b) not disclosing, releasing, or transmitting confidential information to anyone other than to persons who are authorized to receive the information; and
 - c) asking their manager before disclosing, releasing, or transmitting information if they are in doubt as to whether the information is confidential.
 - .02 The proper handling and protection of confidential information must be observed at all times, within and outside of the workplace, including after the employment relationship ends.
 - .03 The integrity of the Legislative Assembly is paramount. Any breach of confidentiality may be considered a breach of parliamentary privilege or contempt of parliament.
- 5. Legal Compliance**
- .01 An employee is expected to be sufficiently familiar with legislation that applies to their work and must comply with all applicable laws.
 - .02 An employee must not commit or condone an illegal or unethical act or instruct another employee, contractor, or vendor to do so.
- 6. Non-Partisanship**
- .01 Political neutrality is paramount to instil confidence and trust of Members of the Legislative Assembly and the public, in the Legislative Assembly Administration. An employee must provide services, and be seen to conduct their work, in a non-partisan manner.
 - .02 An employee must exercise caution in the management of their private affairs so as not to compromise, or raise doubt about, their ability to perform and conduct their work in a non-partisan manner.
 - .03 An employee must not introduce partisan politics at local, provincial, or federal levels into the workplace. This does not apply to informal private discussions among co-workers.
- 7. Public Comment**
- .01 An employee must not jeopardize the perception of non-partisanship of the Legislative Assembly Administration by entering into public

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debate or advocacy regarding matters that may be the subject of partisan political debate in the Legislative Assembly.

.02 An employee is expected to be mindful that personal comments and social media use may be associated with the Legislative Assembly and their work. An employee is expected to be respectful of others and co-workers and exercise an abundance of caution in how they conduct themselves at and away from the workplace, including in their use of social media and discussion forums.

.03 An employee must not speak publicly or engage in any activity where doing so could be perceived as an official act or representation of the Legislative Assembly, unless authorized to do so by the Clerk of the Legislative Assembly or their designate.

.04 An employee must ensure that their position is not seen to lend weight to any public expression of their personal opinions.

8. Conflict of Interest

.01 In order for an employee’s integrity, honesty, loyalty, and impartiality to remain beyond doubt, an employee must ensure their private interests, obligations or activities do not create a conflict of interest in which:

- a) their ability to conduct their work in an objective manner is impaired;
- b) they are under obligation to a person who may benefit from special consideration or favour on their part, or who may seek to gain special treatment from the employee;
- c) their actions would compromise or undermine the trust that the Legislative Assembly, its Members, and the public place in them;
- d) their actions would compromise or undermine the integrity of the Legislative Assembly and bring the Legislative Assembly into disrepute.

.02 The Legislative Assembly recognizes that employees are individuals with private lives and are involved in activities as citizens of their communities. An employee must keep their role as a private citizen separate from their responsibilities as an employee and arrange their private affairs in a manner to avoid any conflict of interest.

.03 An employee must exercise care in the management of their private affairs so as not to benefit, or appear to benefit, from the use of any information that is acquired during their employment.

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- .04 An employee must not have a financial interest that could conflict in any manner with the conduct of their work.
- .05 An employee must not use their position, work relationships, or affiliation with the Legislative Assembly, or the Legislative Assembly's property, equipment, services, supplies, or resources to pursue or enhance their private interests.
- .06 An employee must not participate in a contracting activity for the Legislative Assembly or otherwise place themselves in a position where they can influence decisions for any Legislative Assembly contract where the employee or their family member has a direct or indirect benefit or interest.
- .07 An employee must not give preferential treatment to any person or organization which the employee, or the employee's family member or friend, has an interest, financial or otherwise.
- .08 An employee may hold an outside office, be employed by another employer, engage in volunteer activities, carry on a business, or engage in other outside activities provided that, by engaging in such activities, the employee does not act contrary to this policy and outside activities are not performed during the employee's paid work hours.

9. Conflict of Interest Disclosure

- .01 As soon as practicable and no later than within 30 days of becoming aware of a conflict of interest, an employee must disclose to their manager, using the *Conflict of Interest Disclosure Form*, any private interests, obligations, or activities that might conceivably be construed as being in conflict with their duties.
- .02 When an employee is in doubt as to whether they may be in a conflict of interest, they should discuss it immediately with their manager, who will in turn bring it to the attention of the department director. The department director, in consultation with the Director, Human Resource Operations, will review the circumstances and advise the employee accordingly.
- .03 A manager must forward any *Conflict of Interest Disclosure Form* received to the Director, Human Resource Operations to be retained as part of the employee's file.

10. Receipt of a Gift

- .01 An employee may only accept or solicit a gift from an individual, corporation, or organization, directly or indirectly, that arises out of

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their employment on an infrequent basis. An employee must not accept or solicit a gift other than:

- a) the normal exchange of gifts between persons doing business together;
- b) tokens exchanged as part of protocol, such as with representatives of Indigenous communities or organizations;
- c) the normal presentation of gifts to persons participating in a public function, award, speech, lecture, presentation, or seminar; or
- d) the normal exchange of gifts between friends.

.02 The following criteria, when taken together, must guide the judgment of an employee who is considering whether a gift is appropriate:

- a) the benefit is of nominal value;
- b) the receipt and acceptance create no obligation;
- c) reciprocation is easy;
- d) it occurs infrequently; and
- e) the receipt of the gift would not adversely impact the Legislative Assembly's reputation.

.03 An inappropriate gift offered to or received by an employee or group of employees should be returned to the donor with an explanation. In circumstances where this is not possible (e.g., meal) or ideal (e.g., the return of a gift in some cultures or business settings is considered offensive), the employee must inform their manager and refer the gift and the circumstances to Human Resources for guidance. Full and timely disclosure is viewed as good-faith compliance with this policy.

.04 Any inappropriate gift that is not returned and any gift from a single source that has a retail value over \$100 must be disclosed using the *Gift Disclosure Form* within 30 days of receipt. The form must be signed by the employee's manager and submitted to Human Resources.

.05 Human Resources, in consultation with Legal Services as may be appropriate, will review the *Gift Disclosure Form* and any other relevant circumstances. Following review, Human Resources will advise the employee whether the gift must be provided to the Legislative Assembly for use by the Legislative Assembly, must be donated to a third party determined by the Legislative Assembly, or may be kept by the employee for personal use. Human Resources will

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document the decision on the *Gift Disclosure Form* as part of the employee's file.

11. Working Relationships

- .01 Employees with a direct personal relationship outside of work that compromises objectivity, or the perception of objectivity, must not be in a direct reporting relationship. This includes a family member, any person an employee lives with, or employees involved in a relationship.

A reporting relationship exists in the following situations:

- a) when one employee has influence, input, or decision-making authority over the other employee's performance evaluation, salary, potential for promotion, conditions of work, and similar matters;
- b) where the working relationship affords an opportunity for collusion between the employees that would have a detrimental effect on the interests of the Legislative Assembly.

An exception may be made if the manager of the employees and the respective member of the Clerk's Leadership Group, in consultation with the Director, Human Resource Operations, are satisfied that safeguards are in place to ensure that the Legislative Assembly's interests are not compromised.

- .02 An employee must disclose to their manager or to the Director, Human Resource Operations, the existence of any relationship they have with another individual in the workplace that could reasonably be seen to compromise their objectivity and ability to perform their duties in a professional and impartial manner.

- .03 Any personal information disclosed pursuant to section 11.02 must be held in confidence by the manager and the Director, Human Resource Operations, and used only to the extent required for operational purposes. All other uses require the consent of the employee unless one or more of the following apply:

- a) the use is clearly in the interests of the employee and consent cannot be obtained in a timely way;
- b) the information is available to the public;
- c) the use is required or authorized by law;
- d) it is reasonable to expect that the use with the consent of the employee would compromise an investigation or proceeding

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and the use is reasonable for the purposes related to an investigation or a proceeding.

.04 An employee must not participate in recruitment and staffing actions or human resource management decisions when their objectivity may be compromised.

.05 An employee must remain professional in their interactions with others in the workplace and must not engage in conduct that could reasonably be regarded by others as bias or professional favouritism towards another employee.

12. Workplace Conduct

.01 An employee has the right to expect, and the responsibility to contribute to, a work environment where everyone feels safe and valued. An employee must treat others with dignity and respect and conduct themselves in a professional manner that contributes to a positive and respectful work environment for all.

.02 An employee must be free from impairment while at work, including alcohol, cannabis, and drugs (prescription, non-prescription, and illegal).

13. Duty to Report

.01 An employee must report any situation of wrongdoing that they know to be or believe to involve the following:

- a) a contravention of a policy;
- b) a contravention of the law;
- c) a misuse or mismanagement of Legislative Assembly funds or assets; or
- d) a danger to the health or safety of occupants and visitors to the Legislative Precinct.

.02 An employee must report wrongdoing under *Policy 6520 – Reporting Suspected Wrongdoing* or *Policy 3305 – Fraud Awareness, Prevention and Reporting*, or by bringing concerns of wrongdoing to the Speaker, the Clerk of the Legislative Assembly, a member of the Clerk’s Leadership Group, a department director, or the Ethics Officer, either directly or through usual reporting channels through their supervisor.

.03 Any matter reported will be handled in confidence unless disclosure is authorized or required by law.

.04 An employee will not be subject to discipline or reprisal for bringing forward allegations of wrongdoing in good faith.

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Contact	Questions regarding this policy may be directed to Human Resources at human.resources@leg.bc.ca .
Procedures	<i>Conflict of Interest Disclosure Form</i> <i>Gift Disclosure Form</i> <i>Oath of Employment</i>
References	<i>Policy 3305 – Fraud Awareness, Prevention and Reporting</i> <i>Policy 6520 – Reporting Suspected Wrongdoing</i>

Kate Ryan-Lloyd

Approved and authorized by
Kate Ryan-Lloyd, Clerk of the Legislative Assembly

June 24, 2024

Date

POLICY HISTORY	
Version 1	December 12, 1996
Version 2	March 26, 1999
Version 3	March 29, 2004
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Version 5	June 24, 2024