

HUMAN RESOURCES

Policy 2.2.3: Conflict of Interest and Ethics

EFFECTIVE DATE: January 1, 2003

RESPONSIBILITY: Senior Vice-President, Human Resources and Organization

STATEMENT

All employees of CBC/Radio-Canada have an obligation to carry out the functions and activities of their position with the highest level of integrity, consistency and transparency, in a professional and ethical manner, ensuring adherence to the principles and ethics, which are enshrined in the *Corporate Code of Conduct Policy 2.2.21*.

APPLICATION

The policy applies to all CBC/Radio-Canada employees regardless of employment status unless excluded by contract or otherwise indicated in a collective agreement.

HISTORY

- Revised November 2006 to recognize creation of new *Code of Conduct Policy*
- Revised June 16, 2004
- Replaces previous Human Resources Policies:
 - Conflict of Interest no. 1.6
 - Outside Work 1.10
 - Outside Work by Announcers 1.11

REFERENCES

- *By-Law on Conflict of Interest*
- *By-Law on Officers and Employees*
- *By-Law on Contracts with the Corporation*
- CBC/Radio-Canada Solemn Declaration

Program Policies:

- 1.1.12 - *Free Travel*

Corporate Policies:

- 2.2.17 – *Political Activity*
- 2.2.21 – *Code of Conduct*
- 2.3.2 – *Assets*
- 2.3.6 - *Procurement*
- 2.3.8 – *Delegation of Financial Authorities*
- 2.3.9 – *Duty Entertainment, Receptions and Staff Functions*

- 2.3.13 – *Gifts, Donations and Other Contributions*
- 2.3.23 – *Travel Management*
- CBC/Radio-Canada Form 810
- Relevant Collective Agreements

PERSON RESPONSIBLE FOR INTERPRETATION AND APPLICATION

Line management is responsible for the implementation of this policy, in consultation with Human Resources. All questions pertaining to the interpretation or application of this policy should be referred to the Vice-President of People and Culture or appointed delegate.

DEPARTMENT RESPONSIBLE TO UPDATE THIS WEBPAGE

Corporate Secretariat

PROCEDURES AND GUIDELINES

Guiding principles and ethics in the daily conduct of CBC/Radio-Canada employees.

1. No conflict should exist or appear to exist between the private interests of CBC/Radio-Canada employees and their official duties.
2. All employees shall place and appear to place the interests of their employer above their own interests.
3. Public funds must be spent with prudence and probity.
4. Employees may not use CBC/Radio-Canada premises, equipment, supplies or the corporate services of other CBC/Radio-Canada employees in furthering their personal interest.
5. Employees must not use their positions to further their personal interests.
6. Confidential information must not be used for employees' personal advantage either during or after their employment with the CBC/Radio-Canada.
7. Employees should not invest in a company that might have an interest, direct or indirect, in any CBC/Radio-Canada contract, except in the case of a widely held public company whose dealings with the CBC/Radio-Canada do not represent a substantial portion of its total business.
8. Employees should not serve nor have direct or indirect interest in a

company engaged with the CBC/Radio-Canada.

9. Employees must not place themselves in a position where they could derive any direct or indirect benefit or interest from any CBC/Radio-Canada contracts.
10. Gifts, benefits, money or other special considerations offered to CBC/Radio-Canada employees to influence, obligate or appear to influence a CBC/Radio-Canada decision must be refused.
11. Employees must ensure that costs associated with duty entertainment, receptions and gifts are authorized by the designated senior officers and kept to a minimum.
12. Employees should accept only gifts or benefits of modest value distributed as advertising or goodwill gestures, or CBC/Radio-Canada employees may accept modest hospitality offered as a general courtesy during the conduct of normal business.
13. Suppliers of goods and services to CBC/Radio-Canada may not be solicited to provide gifts or other financial assistance for employee activities.
14. Employees must not accord preferential treatment to any person.
15. Employees may not engage in activities likely to bring CBC/Radio-Canada into disrepute.
16. Employees may not take a stand on public controversies if CBC's integrity would be compromised.
17. All employees share the responsibility to safeguard, protect and report the loss of, damage, misuse, or misappropriation of CBC/Radio-Canada property, equipment and assets, including those assets and/or paid services off CBC/Radio-Canada premises (refer to Corporate Policy 2.3.2 - *Assets*).
18. Employees shall not engage without permission in outside work which involves services in competition with the CBC/Radio-Canada, exploits their connection with the CBC/Radio-Canada or restricts their availability, efficiency or causes a conflict of interest with their CBC/Radio-Canada duties.
19. The duty to disclose and remove conflicts of interest rests with the employee.
20. All employees who collect, keep and use personal information as part of their function must ensure that such information is protected as per the policies and procedures. Please refer to *Personal Information and Privacy Protection Policy*.
21. The President (or delegate) may permit exceptions to the application of the provisions of this policy if the interests of CBC/Radio-Canada

are clearly better served.

COMMUNICATION

On an annual basis, employees will be made aware of this policy and Human Resources Departments will assist line management in the distribution of the Code of Conduct for managers and supervisors (Corporate Policy 2.2.21 – *Code of Conduct*).

DISCLOSURE

1. If an employee, acting reasonably and in good faith, concludes at any time that there is a conflict of interest or that there are reasonable grounds for a perception of conflict of interest, then the employee has a duty to disclose the matter in writing to their immediate supervisor and to remove the conflict.
2. A written record of the disclosure and disposition of the potential conflict of interest must be maintained by both the employee and the supervisor.

AUTHORIZATION OF EXCEPTION

1. The President (or delegate) may permit/authorize exceptions to the application of the provisions of this policy if the interests of the Corporation are clearly better served.
2. All requests for exceptions must be accompanied by reasons and be submitted in writing to the President (or delegate).
3. Reasons for granting, or refusing exceptions, will be made known to the affected parties, in writing, including the period of time for which the exception is authorized.
4. Documents concerning exceptions shall be kept in the President's office.

NEPOTISM

1. If an employee is faced with making a decision that involves, directly or indirectly, the hiring, engagement on contract, evaluation, discipline, promotion, reward or any other form of discretionary control over family members or relatives (as defined below), then the employee must refer the decision to their immediate supervisor and may not make a recommendation with regard to such a decision. In order to ensure objectivity and to maintain a professional character of the processes and to respect the interests of the persons involved an employee who has or had such relationship with another employee should abstain from participating in the decision process without

having to justify their withdrawal.

2. When a relative, as defined by this policy, is in a position of authority over another relative, one of the two may be transferred.
3. For the purposes of this policy, family members and relatives are defined as spouses, brothers and sisters, parents, children, grandparents, aunts, uncles, nephews, nieces, grandchildren, parent(s)-in-law, brothers and sisters-in-law, children-in-law and live-in partner(s).

USE OF POSITION

Employees may not trade on their positions or their connections with CBC/Radio-Canada for personal gain except in situations for which they have obtained prior written approval as provided for in the exception procedure above.

GIFTS

Offers of questionable acceptability should be refused or referred for guidance to the employee's supervisor.

PUBLIC CONTROVERSIES

In exceptional cases, persons engaged expressly for their reputation in a particular subject may be exempted from the prohibition against the taking of a stand on public controversies, by inclusion of a clause to that effect in their individual contracts.

OUTSIDE WORK

1. Where the nature of the outside work is not specifically covered by a collective agreement, permission must be obtained.
2. At least two weeks before accepting or commencing outside work, the employee must submit a Request for Authorization of Outside Work (CBC/Radio-Canada Form 810).
3. Applications, if approved, must not disrupt regular assignments or posted schedules.
4. On-Air personnel, who are not seconded to news, who do not have regular newscast assignments or who do not participate as on-air personalities in Information Programming (radio and television) should continue to apply for permission to do outside work and each application will be judged on its merits. However, there must be no personal endorsement of a product or service in the work applied for.

DUTY ENTERTAINMENT, RECEPTIONS AND GIFTS

Duty entertainment, receptions and gifts require the approval of senior officers authorized under the *Delegation of Financial Authorities Policy* 2.3.8, and must meet all the following conditions:

- They are not in cash;
- They cannot reasonably be interpreted as a bribe or other improper payment and are of nominal value;
- They are made as a matter of general and accepted business practice;
- They do not contravene any law and are made in accordance with generally accepted ethical practices; and
- if subsequently disclosed to the public, their provision would not in any way jeopardize the integrity of the CBC/Radio-Canada or their recipients.

HUMAN RESOURCES**Policy 2.2.21: Code of Conduct****EFFECTIVE DATE:** November 2006**RESPONSIBILITY:** Senior Vice-President, Human Resources and Organization**STATEMENT**

All employees of CBC/Radio Canada are expected to abide by the principles and ethical behaviours as outlined in the Code of Conduct Policy, in the daily performance of their duties.

Statement of Corporate Values

Public Service, Excellence, Creativity, Teamwork

CBC/Radio-Canada is Canada's national public broadcaster and one of its largest cultural institutions. In the fulfilment of this critical role, the Corporation's core values include public service, excellence, creativity and teamwork. In keeping with these core values, many people with diverse talents and perspectives work together to deliver public broadcasting of the highest possible standards.

Statement of Individual Values

Integrity, Fairness, Respect, Compliance with Laws, Avoiding/Managing Conflicts of Interest

All employees of CBC/Radio-Canada are expected to adhere to the highest ethical standards in the performance of their duties to foster an environment of integrity, respect and trust and to preserve and enhance CBC/Radio-Canada's reputation. The values of integrity, honesty, fairness and respect are essential to create and maintain a workplace that is characterized by civility, professionalism, tolerance, dignity, and freedom from discrimination or harassment. Compliance with both the letter and the spirit of the law, the exercise of good judgment in avoiding or dealing with conflicts of interest, the protection of privacy, and maintaining confidentiality are further elements that are critical to achieving the Corporation's goals in this regard.

This Code of Conduct is intended to offer a broad range of guidance about the standards of integrity and business conduct, but no code can address every situation that individuals may encounter. For this reason, this Code does not relieve employees of the responsibility and accountability to exercise good judgment and, in circumstances where they are unsure as to the proper course of action, to seek guidance from others.

Compliance with Laws

Employees need to be aware of and comply with both the letter and the spirit of the laws and regulations that affect how they do their jobs. The reputation of the Corporation depends upon its employees' commitment and ability to fulfil this responsibility. The Corporation is fully committed to complying with all legal requirements applicable to the Corporation's

business. Many of CBC/Radio-Canada's activities are subject to complex and changing legal requirements. Employees' supervisors, the Law Department and the Tax Advisor are available for consultation whenever an employee is in doubt about the interpretation of any legal requirement.

Compliance with CBC/Radio-Canada Policies

Employees must be familiar with the corporate policy framework that guides and governs their behaviour in the performance of their day-to-day activities and conduct themselves in a manner consistent with those policies and this Code of Conduct.

The corporate policy framework at CBC/Radio-Canada sets out the requirements and guidelines for employees in a number of subject areas covering topics dealing with Human Resources, Finance, Information Technology, and Programming, to name a few.

Employees are expected to review and consult these policies as required in order to ensure their compliance with policy provisions.

Failure by an employee to comply with the provisions of any CBC/Radio-Canada Corporate Policy may result in disciplinary action against the employee, up to and including, immediate dismissal.

Respect in the Workplace

CBC/Radio-Canada is committed to promoting a workplace that reflects the values of respect, dignity, professionalism, tolerance, equity and diversity.

This means that:

- Every employee must behave in a respectful and professional manner in all dealings related to their employment, whether dealing with other employees, suppliers, consultants, or members of the public. Behaviour that is disrespectful, offensive, intimidating or humiliating, intentional or otherwise, will not be tolerated. Behaviour of this nature not only demeans others, but also threatens CBC/Radio-Canada's ability to build a workplace where everyone can feel safe, comfortable and able to produce their best work.
- Discrimination and harassment will not be tolerated in any form against or from any group or individual – fellow employees, suppliers, job applicants or members of the public – including discrimination on the basis of race, colour, religion, national or ethnic origin, age, gender, sexual orientation, marital status, physical or mental disability, or a criminal offence for which a pardon has been granted.
- Employees are required to promote and support an inclusive work environment, one in which individuals are accorded equity in

employment processes, procedures and practices.

Privacy

CBC/Radio-Canada is committed to controlling the collection, use, and disclosure of personal information in accordance with all requirements set out in the *Personal Information Protection and Electronic Documents Act*. Employees who collect, maintain and/or use personal information, are responsible for complying in all respects with the corporate policy and procedures governing the collection, use and disclosure of this information.

Protection and Use of CBC/Radio-Canada Property

Employees should not use CBC/Radio-Canada property or assets for anything other than legitimate CBC/Radio-Canada business purposes. Employees are expected to take good care of CBC/Radio-Canada property and not expose it to loss, damage, misuse or theft.

Protection and Use of Information Technology Assets

Employees have an obligation to protect and use CBC/Radio-Canada's IT Assets responsibly, in conformity with applicable federal and provincial laws, for the purpose of their work, and to take reasonable steps to safeguard these assets from damage, loss or theft.

Employees are provided with access to CBC/Radio-Canada IT Assets for business use and for the purpose of performing job-related activities. Although some limited personal use will be tolerated, it is subject to CBC/Radio-Canada Policy and must not interfere with or detract from employees' assigned tasks.

Dealing with Conflicts of Interest

Employees are expected to adhere to the highest ethical standards with respect to conflicts of interest, outside activities, the acceptance of gifts and hospitality, and in all dealings related to their position with the Corporation. Employees must ensure, to the extent possible, that their personal interests do not come into conflict with those of the Corporation. If a conflict does arise, it must be resolved in favour of the best interests of the Corporation.

This means that:

- Employees are required to perform their duties and arrange their private affairs in a manner that will prevent actual, apparent or potential conflicts of interest from arising.
- Employees are expected to act in a manner that will bear the closest public scrutiny in all dealings related to the Corporation or their responsibilities as employees.
- Employees should not knowingly take advantage of, or benefit from,

information that is obtained in the course of their official duties and that is not generally available to the public.

- Employees should not accept gifts, hospitality or other benefits that may have an actual, apparent or potential influence on their objectivity in carrying out their official duties or that may place them under an obligation to the donor.

Protection of the Environment

CBC/Radio-Canada is committed both to the protection of the environment and to the principle of sustainable development – meeting the needs of the present without compromising the ability of future generations to meet their needs. Employees are required to conduct their functions and activities in an environmentally responsible manner and in accordance with the principles set out in the Environmental Policy.

Health and Safety in the Workplace

CBC/Radio-Canada is committed to the health, safety and well-being of its employees. Officers and managers must take reasonable precautions to provide and maintain a healthy and safe workplace.

Employees must contribute to the safety of their work environment by complying with all safety directives and objectives of management and by taking all reasonable and necessary precautions to ensure their own safety and health and that of other persons affected by their work.

Official Languages

All employees must support the Corporation's commitment to meeting its obligations under the *Official Languages Act*.

Employees must respect the right of other employees to work in the official language of their choice in all fully and partially bilingual locations. Employees must also ensure that members of the public are able to communicate with the Corporation in both official languages in all designated significant demand offices.

Employees must support the development and maintenance of the required bilingual capability in the Corporation through appropriate recruiting and selection processes.

Impartiality

CBC/Radio-Canada must remain and appear to remain impartial in carrying out its responsibilities as Canada's public broadcaster. It is essential that the CBC/Radio-Canada neither holds, nor appears to hold, a position on any matter of public concern or controversy.

To preserve the impartiality of the Corporation, employees in certain

categories, either because of their public identification with the Corporation or because of their potential for influencing election-related programming, are restricted from engaging in political activity or from taking public positions on matters of public concern or controversy.

Reporting of Wrongdoings

In the event that an employee becomes aware of a serious breach of this Code of Conduct, or any other wrongdoing or illegal activity in the workplace, he/she has, by virtue of the duty of loyalty owed by employees to their employer, a responsibility to report that wrongdoing. Furthermore, an employee who, in good faith, reports any serious breach or other wrongdoing, is protected from reprisals for so doing.

APPLICATION

All CBC/Radio-Canada employees regardless of employment status unless excluded by contract or otherwise indicated in a collective agreement.

RESPONSIBILITY

Line management is responsible for the implementation of this policy, in consultation with Human Resources.

REFERENCES

- *By-Law on Conflict of Interest*
- *By-Law on Officers and Employees*
- *By-Law on Contracts with the Corporation*
- CBC/Radio-Canada Solemn Declaration

Corporate Policies:

Program Policies:

- 1.1.2 – *Stereotypes in CBC/Radio-Canada Programming*
- 1.1.3 – *Guidelines on Sex-Role Portrayal*
- 1.1.5 – *Good Taste*
- 1.1.12 - *Free Travel*
- 1.2 – *Journalistic Standards and Practices*

Management Policies:

All Human Resources Policies:

- 2.3.2 – *Assets*
- 2.3.4 – *Cash Funds*
- 2.3.6 – *Procurement*
- 2.3.8 – *Delegation of Financial Authorities*
- 2.3.9 – *Duty Entertainment, Receptions and Staff Functions*

- 2.3.11 – *Fraud and Theft*
- 2.3.13 – *Gifts, Donations and Other Contributions*
- 2.3.23 – *Travel Management*
- 2.5.1 – *Corporate Information Technology Security*
- 2.9.1 – *Records and Information Management*
- 2.9.2 – *Personal Information and Privacy Protection*
- 2.9.3 – *Delegation of Signing Authority*
- 2.9.4 – *Disclosure of Wrongdoings (Whistleblower Policy)*
- Relevant Collective Agreements

HISTORY

- Previously Appendix A of the Human Resources Policy 2.2.3 Conflict of Interest and Ethics effective January 1, 2003.
- Replaces previous Human Resources Policies including Conflict of Interest no. 1.6, Outside Work 1.10 and Outside work by Announcers 1.11

PERSON RESPONSIBLE FOR INTERPRETATION AND APPLICATION:

All questions pertaining to the interpretation or application of this policy should be referred to the Vice-President of People and Culture or delegate.

DEPARTMENT RESPONSIBLE TO UPDATE THIS WEBPAGE

Corporate Secretariat

Program Policies

Policy 1.1.12: Free Travel

Effective: July 6, 1994

Production personnel will not accept offers of free travel or accommodation from outside organizations or individuals to facilitate the gathering of program, news or research material.

CBC/Radio-Canada programs must be protected from improper external influence or the suspicion of such influence. Travel and accommodation costs are form of program expense. They are not to be absorbed by outside agencies for News and current affairs programs under the CBC/Radio-Canada Journalistic Standards and Practices.

Similarly they are not to be absorbed by outside agencies for entertainment programs unless there is a negotiated agreement to provide advertising or a supplier credit at the close of the program involved in return for the provision of specific services.

Any exceptions to this policy where no commercial transport is available must receive approval in writing prior to commitment from the operational vice president concerned or his/her delegate.

REFERENCE:

- Journalistic Standards and Practices 3 - Free Travel, page 148

CONFLICT OF INTEREST**Free Travel**

Accepting free travel to help in newsgathering, creation of content or for research puts us in a conflict of interest. The provisions of CBC's policy on free travel are covered in Corporate Policy 1.1.2:

<http://www.cbc.radio-canada.ca/docs/policies/program/free.shtml>

We do face situations where there is a public interest to cover a story, and the only means to get there is through an outside organization or individual. Our practice in these situations is to ask for an accounting of costs and try to reimburse them. These exceptional circumstances require the approval of the Managing Editor.

When we report from a location that we reached with help from outside support, we mention that fact in our coverage.