

# Standards of Conduct

This Standards of Conduct policy (the "Policy") applies to employees, the Board of Directors ("Board"), officers, and leadership (collectively, "employees") as well as contractors performing work for or on behalf of Technical Safety BC (together with employees, "team members").

The Policy is intended to help team members understand expectations and obligations with respect to their conduct in the course of their relationship with Technical Safety BC, and the processes for reporting and addressing misconduct under this Policy. Team members must abide by all applicable aspects of this Policy, whether or not the conduct occurs during or outside of working hours and whether or not the conduct is done on or off Technical Safety BC premises or while using Technical Safety BC property, equipment, or systems.

This Policy is not intended to be exhaustive, and is meant to complement, and be read in conjunction with, Technical Safety BC's other policies, including but not limited to Respectful Workplace Conduct Policy, Acceptance of Gifts Policy, Privacy Policy, Information Technology Acceptable Use Policy, and Information Security Policy. Where there is any conflict between this Policy and the provisions of an applicable statute or the Collective Agreement, the applicable statute and/or the Collective Agreement will supersede this Policy to the extent needed to resolve the conflict without affecting the other provisions of this Policy.

Technical Safety BC may amend this Policy in its sole discretion at any time and will communicate the changes to all team members.

Anyone found to have contravened this Policy is subject to corrective action by Technical Safety BC up to and including termination of employment or engagement as applicable, and this may be accompanied by civil action or criminal prosecution where warranted

## Principles

Technical Safety BC believes that the highest standards of conduct are essential to maintain and enhance the public's trust and confidence in the organization. It is committed to ethical business practices within its operations. Under no circumstances is Technical Safety BC tolerant of misconduct, either through the actions of its personnel or those working on its behalf. Our conduct with all stakeholders needs to be transparent and balanced with confidentiality requirements.

Additionally, employees have a duty of loyalty to Technical Safety BC and must perform their duties and responsibilities to the best of their ability. Impartiality, honesty and integrity must be exercised by every employee in the conduct of their duties. Employees' conduct should instill confidence and trust and must not bring Technical Safety BC into disrepute.

## Confidentiality

Confidential information that team members receive through their employment or engagement with Technical Safety BC must not be accessed, used, or disclosed for any purpose other than the proper performance of their work for Technical Safety BC or as required by law, unless otherwise authorized in writing by Technical Safety BC. This obligation continues to apply after the individual's relationship with Technical Safety BC ceases.

Confidential information includes, but is not limited to, information about certain matters and things that are confidential or proprietary to Technical Safety BC or to its past, present, or future Board members, employees, customers, contractors, vendors, suppliers, and other persons or entities working with or on behalf of Technical Safety BC, including without limitation business information of Technical Safety BC and its customers, contractors, vendors, and suppliers (such as financial information, marketing information, work product information, strategies, plans, and operational information) and personal information of employees. Those who are unsure as to whether certain information is confidential must ask the appropriate Technical Safety BC authority before accessing, using, or disclosing it.

Team members must take all reasonable precautions to store confidential information safely and securely so as to prevent unauthorized access, use or disclosure.

Employees who are required to share confidential information with an external party through the course of business, such as a vendor, contractor, client, or other external stakeholder, must ensure that a non-disclosure agreement with respect to this information that has been approved by Technical Safety BC's legal team is signed by the external party prior to disclosure.

Confidential information that employees receive through their employment must not be used for the purpose of furthering any private interest, or as a means of making personal gains. See the Conflicts of Interest section of this Policy for further details.

## **Use of Company Property**

Team members must only use Technical Safety BC property for the purposes of proper performance of their work for Technical Safety BC, and in a manner that is consistent with applicable Technical Safety BC policies and any applicable laws and regulations. Technical Safety BC property includes, but is not limited to, its computer and email systems and work product (including intellectual property). Misuse of such property is a breach of this Policy. Please note, appropriate personal use is not considered misuse, for additional information on misuse of Technical Safety BC IT equipment, please see IT Acceptable Use Policy.

## **Public Comment**

Team members must refrain from speaking on behalf of Technical Safety BC unless they have been expressly authorized to do so by the Leader, Communications, and should direct any requests received from the media to [media@technicalafetybc.ca](mailto:media@technicalafetybc.ca) without further comment. Care should be taken in making comments or entering into public debate regarding Technical Safety BC policies.

Team members must not use their position with Technical Safety BC to lend weight to the public expression of their personal opinions. Team members are free to comment on public issues in their personal capacity, but must exercise caution and good judgment in doing so, as such comments may be perceived to be made in the capacity of their relationship with Technical Safety BC (even if unintentionally).

## **Political Activity**

Team members are free to participate in their personal capacity in political activities including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Such political activities, however, must be clearly separated from activities related to the individual's relationship with Technical Safety BC.

Team members must not engage in political activities during working hours or use Technical Safety BC facilities, equipment, funds, or resources in support of political activities. They must ensure that any involvement in political activities does not adversely affect the performance of their work for Technical Safety BC or otherwise breach their obligations to Technical Safety BC.

For clarity, this section of the Policy does not restrict team members from making personal contributions to political parties in compliance with applicable laws or from participating in political campaigns, if such contribution / participation is clearly identifiable as individual contributions or participation that is not on behalf of Technical Safety BC and remains in compliance with their duties to Technical Safety BC.

## **Service to the Public**

Team members must provide service on behalf of Technical Safety BC to the public in a manner that is courteous, professional, equitable, efficient and effective and in compliance with this Policy. They must be sensitive and responsive to the changing needs, expectations and right of a diverse public while respecting the legislative framework within which service to the public is provided.

## **Workplace Behaviour**

All workers have the right to expect, and the responsibility to create, a workplace where everyone is safe and feels safe.

The conduct and language of individuals in the workplace must meet acceptable social standards and must contribute to a positive work environment. An individual's conduct must not compromise the integrity of Technical Safety BC.

Bullying, harassment, discrimination and violence in the workplace is unacceptable and will not be tolerated. For clarity, the workplace includes work-related functions and assignments outside of the office, and technology-based communications such as telephone, texting or email.

Please refer to the Respectful Workplace Conduct Policy (POL-3147).

Appropriate workplace behaviour also includes dressing appropriately and respectfully at a Technical Safety BC worksite or while representing Technical Safety BC in public. Hateful, discriminatory, political and inappropriate clothing will not be tolerated.

## Fraudulent Activities

Fraud is defined as the intentional, false representation or concealment of a material fact for the purpose of personal gain or for inducing another to act upon it to his or her injury.

Examples of actions that may constitute fraudulent activity include, but are not limited to:

- Dishonest financial reporting, creation of false books of accounts, business records, or financial reports, or concealment of assets, liabilities, or financial transactions
- Forgery or alteration of documents
- Unauthorized alteration or manipulation of computer files or data
- Misappropriation of Technical Safety BC resources such as funds, supplies or other corporate assets (furniture, fixtures and equipment)
- Authorizing or receiving compensation for goods not received, services not performed, or hours not worked
- Destruction, removal or inappropriate use of records contrary to Technical Safety BC's record retention policy or IT security guidelines
- Profiteering or benefiting as a result of insider knowledge of company activities
- Disclosing confidential and proprietary information to unauthorized parties including investment activities
- Knowingly failing to report any actual or perceived conflict of interest situations. See the Conflicts of Interest section below for further details.

Employees must not participate in any fraudulent activities, and must promptly report any fraudulent activity carried out by other team members in accordance with the reporting of misconduct process set out in this Policy.

## Conflicts of Interest

Conflict, or the perception of conflict, must not exist between employees' private interests and the discharge of their Technical Safety BC duties, as it can impair the performance of the employee's work for Technical Safety BC and undermine or compromise the public's confidence and trust in Technical Safety BC. Accordingly, employees must avoid being, or being perceived to be, in a conflict of interest with Technical Safety BC.

A conflict of interest occurs when an employee's private affairs or financial interests influence, or appear to have the potential to influence, their judgment in the performance of their duties and responsibilities at Technical Safety BC.

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

### A. *Financial Interests*

A conflict of interest exists when an employee who is able to influence business with Technical Safety BC owns, directly or indirectly, a beneficial interest in an entity that has current or prospective business dealings with Technical Safety BC. A conflict of interest will not exist where the financial interest in question consists only of shares, bonds, or other securities of an entity that is listed on a securities exchange and where the amount of this interest is less than one percent (1%) of the value of the class of securities involved.

### B. *Personal Interests*

A conflict of interest exists when an employee uses Technical Safety BC's property, resources, personnel, stakeholders, or information, or the employee's position or affiliation with Technical Safety BC, to achieve personal gain or pursue personal interests.

### C. *Relationships with Third Parties*

A conflict of interest exists when:

- An employee, directly or indirectly, acts as a director, officer, employee, consultant, contractor, or agent of an entity that has current or prospective business dealings with Technical Safety BC as a customer, contract, vendor or supplier.
- An employee, in their capacity as a Technical Safety BC employee, gives preferential treatment to a corporation or organization, including a non-profit organization, in which the employee has a financial or personal interest, or gives preferential treatment to a person as a result of the employee's relationship with that person.
- An employee is involved in a decision-making process with respect to a person to whom the employee is under obligation (for instance, owes a favour).
- An employee provides information to another person which allows them an unfair advantage over others with respect to a Technical Safety BC process.

### D. *Gifts*

A conflict of interest exists when an employee, directly or indirectly, gives, solicits, or accepts any gift, benefit, form of entertainment, or favour (collectively, "gift") from any person or entity that has a current or prospective business relationship with Technical Safety BC where the gift is intended for, or may be perceived as, a means by which to improperly influence a decision or action. For additional details, please see the Gift Governance Policy (POL-3146).

#### *E. Personnel / Business Decisions*

A conflict of interest exists when an employee is involved in a decision on behalf of Technical Safety BC involving a direct relative or someone who the employee considers to be a close relative (a "relative") - for example, where the relative is proposing to engage, or is engaged, in business or in employment with Technical Safety BC and the employee makes a decision with respect to that engagement or employment.

Accordingly, employees must remove themselves from any decision-making process, including but not limited to personnel decisions such as hiring decision, performance evaluations, determinations of salary, premiums, special permissions, and other terms of employment, that involve a relative, and advise their Leader promptly so that alternative arrangements can be made by Technical Safety BC.

Employees who have any questions or concerns regarding their particular situation are encouraged to contact their supervisor or Human Resources for advice and assistance.

#### *F. Outside Work*

During the term of their employment, employees may engage in remunerative employment with another employer, carry on a business, receive remuneration from public funds for activities outside their position or engage in volunteer activities ("outside work"), provided that the outside work does not create a conflict of interest. A conflict of interest exists when an employee is engaged in outside work that:

- Interferes with the effective and proper performance of their duties in accordance with the terms of their employment with Technical Safety BC;
- Involves the unauthorized use of work time or Technical Safety BC premises, services, equipment or supplies;
- Undermines the public's trust and confidence in Technical Safety BC or otherwise has the effect of bringing the organization into disrepute;
- Directly or indirectly competes with Technical Safety BC's business;
- Results in work that is subject to Technical Safety BC's regulations and inspection;
- Provides an unfair advantage to a third party in regards to Technical Safety BC's business or regulatory responsibilities or an unfair advantage that is derived from their employment as a Technical Safety BC employee; or
- Appears to be an act on behalf of Technical Safety BC or to represent Technical Safety BC's opinion or policy.

Employees must not engage in outside work where a conflict of interest exists. For clarity, examples of outside work/volunteering that would generally not be considered a conflict of interest include:

- Volunteering with an organization unrelated to Technical Safety BC's regulatory oversight; or
- Working a second job in an area entirely unrelated to Technical Safety BC's regulatory oversight.

Examples of outside work that would be clear conflicts of interest include:

- Privately offering code training to contractors that Technical Safety BC has regulatory oversight over; or
- Privately offering technical training to contractors that the employee may inspect.

Employees who have any questions or concerns regarding a conflict of interest with respect to any intended or existing outside work must discuss the work with their Leader promptly, including providing details on the duration of the work, their responsibilities, who they will be working for, and other relevant information as requested by their Leader. An actual or perceived conflict of interest will be assessed through a fact-finding investigation with the employee and the outcome determined with consultation with the employee's Leader, Director, Human Resources and the Leader for the applicable region or technology, as appropriate. Where possible, Technical Safety BC will provide guidance to an employee how they can mitigate the risks of a conflict of interest with outside work.

Where an actual or perceived conflict is identified in intended outside work, the employee will be notified of the concern and be given the opportunity to respond through a fact-finding discussion. While the matter is investigated, the employee must not engage in the work. Where an actual or perceived conflict is identified in existing outside work, the employee must cease involvement in the work as soon as possible or be subject to discipline up to and including termination.

Employees who engage in outside work in violation of this section of the Policy, fail to report such outside work to Technical Safety BC, or fail to abide by their supervisor's directions in respect of that work, will be subject to disciplinary action up to and including termination.

### *G. Misappropriation of Business Opportunities*

A conflict of interest exists when an employee appropriates for his or her own use, or that of another person or organization, the benefit of any business venture, opportunity, or potential business venture or opportunity, about which they may have learned or may have developed during the course of their relationship with Technical Safety BC. For example, a misappropriation of a business opportunity will exist where an employee learns of a potential funding, business, or training opportunity for Technical Safety BC and then pursues that opportunity personally for their own gain or for the business of another person or organization.

### Special Note Regarding External Training

Employees who wish to provide external training may apply to do so if the following requirements are met:

- Employees must be teaching through an accredited educational institution (eg. University of Northern BC, BCIT);
- Employees must be teaching a course that is offered by the education institution;
- Employees may receive payment, only as an instructor of that course;
- The employee must not use any Technical Safety BC material during the course, including confidential exams related to the course or any other material which is not publicly available;
- The employee must not use Technical Safety BC's confidential information, including but not limited to client lists or client contact information, property, or company time to perform duties associated with the course;
- The employee must provide a disclaimer at the start of the course and on the course material that they are not representing Technical Safety BC and not teaching under their safety officer designation (if they hold one);
- The employee must not advertise or permit any advertising or conduct the course in such a way that relevant stakeholders and the public would have a reasonable basis to perceive a conflict of interest between the employee's regulatory duties and the course; and
- Employees may not teach during regular Technical Safety BC business hours.

Employees have the obligation to bring all relevant information (eg. Education institution, course information, course syllabus, explanation how this will not interfere with their normal duties) to their Director for review and must receive prior written approval from their Director prior to engaging in any external training. This section applies to both volunteer and remunerated training.

If a situation arises where an employee may be in breach of the above requirements, the employee will be notified of the concern and be given the opportunity to respond through a fact-finding discussion. If the employee is found in breach, the employee must cease involvement in the work as soon as possible or be subject to discipline up to and including termination.

### *H. Employee Protocol for Business Relations between Board Members and Technical Safety BC Employees*

Employees may deal directly with Technical Safety BC Board members or Technical Safety BC officers (e.g., President, Vice President, etc.) either as a consumer of Technical Safety BC services (e.g., buying permits, receiving inspections) or in the case of Board members, as a person who works in a regulated industry. In such circumstances:

1. Employees should treat Board members and officers as they would any other consumer of Technical Safety BC services or person who works in a regulated industry.
2. When an employee is knowingly conducting business directly with a Technical Safety BC Board member or officer, the employee is to inform their manager as soon as possible if they are feeling any pressure to deviate from normal business practices.
3. Managers who are informed of these situations must inform their own manager, or an officer (other than an officer involved in the situation), or the President & LEO about the situation. Where the situation involves the President & LEO, The Chair of the Board must be informed.
4. Managers, officer, the President & LEO, and the Chair of the Board are responsible for promptly addressing issues that are brought to their attention regarding business relations between Board members and Technical Safety BC employees and implementing any alternative arrangements or corrective measures that may be necessary in the circumstances.

Employees with questions regarding the Conflict of Interests section of this Policy may discuss them with a Leader within Human Resources. Employees who find themselves in an actual, perceived or potential conflict of interest must promptly disclose the matter to their Leader. Technical Safety BC's Board and officers are also subject to the Conflict of Interest Policy set out in Tab 4.3 of Technical Safety BC Governance Manual.

## **Reporting of Misconduct**

Team members must immediately report to Technical Safety BC any situation that they believe contravenes applicable law and regulations, is a violation of this Policy or other Technical Safety BC policies, is a misuse of Technical Safety BC funds or assets, or represents a danger to health and safety or significant danger to the environment.

### *A. Reporting Process*

Reports can be made using one of the following reporting mechanisms:

1. Directly in person or via email to a leader within Human Resources department
2. Directly in person or via email to your leader (or another member of the leadership team if you are uncomfortable talking to your leader or if your concerns are about the behavior of your direct leader)
3. Under the Public Interest Disclosure Act Form and Policy (POL-3141)
4. Use "Integrity Counts", an independent third party service specializing in confidential reporting –
  - Verbal reports are submitted via their toll free lines between the hours of 6:00 am to 4:30 pm PST at 866-921-6714.
  - Employees or third parties may also submit written reports via Technical Safety BC's website contact quick link: <https://www.integritycounts.ca/org/technicalsaftybc>
  - Once a report is submitted, Integrity Counts will provide the reporting person with a number and password that enables them to receive updates anonymously by logging on to the website.
5. Individuals can report confidentially to Director, Internal Audit where there are suspected fraudulent activities.

An individual reporting a complaint or concern under this Policy should provide as much information to the recipient as possible, including a detailed description of the conduct or incident(s) in question, the names of the parties involved, potential witnesses, and date(s), time(s), and place(s) of the conduct or event(s) to the extent possible.

Individuals are expected to provide requested information in relation to a report of misconduct and fully participate in any fact-finding activity as directed by Technical Safety BC.

### *B. Confidentiality*

Reported matters will be treated as confidential and will not be disclosed except to the extent necessary to fully and impartially address and/or investigate the reported matter, to implement appropriate corrective action, to ensure the health and safety of an individual who is at risk of serious physical harm or as otherwise required or permitted by law.

Technical Safety BC will maintain confidentiality to the extent reasonably possible, but in most cases, it will not be possible to investigate or resolve the complaint without disclosure of the identities of the parties involved. In addition, individuals involved in the investigation or resolution of a complaint will be aware of the matter.

All team members involved in a reported matter are expected to maintain strict confidentiality about reported matters, except as expressly directed by Technical Safety BC or as authorized or required by law.

### *C. Addressing Reports of Misconduct*

Technical Safety BC takes all reports of misconduct very seriously, and will address and respond to all complaints or inquiries concerning alleged misconduct in a fair, prompt, respectful, and impartial manner.

If warranted in the circumstances, Technical Safety BC will conduct a thorough investigation and will determine the appropriate investigative process to follow (including but not limited to engaging an external investigator if it deems appropriate). If misconduct is identified by Technical Safety BC, measures will be implemented as appropriate to remedy and prevent further harm, including taking corrective action up to and including termination of employment or engagement as applicable, requiring education or counselling, or taking any other action set out in this Policy. If the conduct complained of is not in breach of this Policy, the report will be dismissed.

Reports of misconduct will be dealt with, and any decisions to prosecute or refer to regulatory agencies and/or law enforcement will be made, in conjunction with Technical Safety BC's legal team, Executive team and the Board of Directors, as appropriate. See also the Reporting Allegations of Misconduct policy (SOP-2095).

### *D. No Retaliation / Complaints in Bad Faith*

Individuals will not be subject to retaliation for bringing forward allegations of wrongdoing, or participating in the reporting of misconduct or fact-finding processes such as an investigation, in good faith and in accordance with this Policy and the Public Interest Disclosure Policy. Any retaliation will be considered a serious breach of these policies.

Similarly, complaints must not be made that are intentionally or recklessly false or malicious. Any complaints made in bad faith will be considered a serious breach of this Policy.

#### *E. Legal Rights*

Nothing in this Policy replaces any other legal rights an individual may have or that Technical Safety BC may have to address the subject matter of a complaint or concern under the Policy.

### **Legal Proceedings**

Employees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings unless the affidavit has been prepared by a lawyer acting for Technical Safety BC in that proceeding or unless it has been approved by Technical Safety BC's legal counsel. Please refer to Managing Legal Issues (SOP 2043).

A written opinion prepared on behalf of Technical Safety BC by any legal counsel is to be treated as subject to solicitor/client privilege and is, therefore, confidential. Such an opinion is not to be released to persons outside Technical Safety BC without prior written approval by the Chief Executive Officer.