

**TITLE: CODE OF ETHICS AND  
CONDUCT FOR THE  
EMPLOYEES OF THE  
CANADIAN AIR TRANSPORT  
SECURITY AUTHORITY  
(CATSA)**

Group:
Policy Number
Date Implemented
Date Modified

**APRIL 2004**

**Main Objectives:**

- **Achieve an exemplary corporate image and culture;**
- **Build public and employee trust in CATSA;**
- **Provide guidelines to CATSA employees on proper conduct;**
- **Provide protection to employees who report wrongdoing**

**Table of Contents**

- Chapter I: Code of Ethics and Conduct - Introduction
- Chapter II: Conflict of Interest Measures
- Chapter III: Post-Employment Measures
- Chapter IV: Prevention and Resolution of Harassment in the Workplace Measures
- Chapter V: Internet Usage Measures
- Chapter VI: Measures for Disclosure of Wrongdoing in the Workplace
-

# **Code of Ethics and Conduct for the Employees of the Canadian Air Transport Security Authority (CATSA)**

## **Table of contents**

### **Chapter 1 : Introduction**

#### **Code of Ethics and Conduct**

Objectives	1
Authority to Establish Code	1
Application	1
Overview of Scope of Code	1
Definitions	2
Statement of General Commitments & Responsibilities	2
CATSA	2
Employees	3
Responsibility and Authority	3
Reviews and Amendments	4
Effective Date	4

### **Chapter 2 : Conflict of Interest Measures**

Objectives	5
Definitions – Conflict of Interest	5
Measures	5
General Responsibilities	5
What to do in the Event of Conflict of Interest	6
Outside Employment or Activities	7
Gifts, Hospitality and Other Benefits	7
Solicitation of Benefits or Donations	8
Criminal Code Requirements	8
Avoidance of Preferential Treatment - i.e. Family or Friends	9
Conflict of Interest of the President and CEO	9

### **Chapter 3 : Post-employment Measures**

Objectives	10
Definitions	10
Measures	10
General Responsibilities of all Employees	10
Additional Requirements of Executive Level Employees	10
Before Leaving Office	10
Limitation Period	11
Waiver or Reduction of Post-Employment Restrictions	11
Disengagement Steps	12

Post-Employment Measures applicable to the President and CEO	12
<b>Chapter 4 : Prevention and Resolution of Harassment in the Workplace Measures</b>	
Objectives	13
Definitions	13
Measures	14
General Responsibilities	14
Employees	14
Complainants, respondents and witnesses	15
Managers	16
Delegated managers	16
Early problem resolution	17
Complaint process	17
Step 1 - Filing a complaint	18
Step 2 - Screening and acknowledgement of complaint	18
Step 3 - Review of the complaint	18
Step 4 - Mediation	19
Step 5 - Investigation	19
Step 6 - Decision	19
Other recourse	19
<b>Chapter 5 : Internet Usage Measures</b>	
Objectives	20
Definitions	20
Measures	20
General Responsibilities	20
Appropriate Use	21
Business-Line Uses	21
Professional Development	21
Personal Use	21
Inappropriate and Prohibited Use	22
Training	23
Blocking of Access to Certain Sites	23
Auditing	23
<b>Chapter 6 : Measures of Disclosure of Wrongdoing in the Workplace</b>	
Objectives	24
Definitions	24
Measures	25
General Responsibilities	25
Employees	25
Managers	25
The OPI	26

The President and CEO	26
General	27
Reports of Wrongdoing to the OPI	27
Vexatious or Trivial Disclosures	27
Protection of Information	27
Wrongdoing by a SMC Member or the OPI	27
Direct Disclosure to Board Appointee	27

## **Appendixes**

Appendix A: Annual Statement of Compliance

Appendix B: Confidential Report

Appendix C: Guide for determining what constitutes harassment

Appendix D: Internal Disclosure and Resolution Procedures

Appendix E: Internal Disclosure Form

# Chapter 1

## Introduction

### Code of Ethics and Conduct

#### Objectives

The Canadian Air Transport Security Authority's vision is to be the "world leader in air transportation security through commitment to its mission and through operational and corporate excellence".

In furtherance of its vision, and in particular, the goal of corporate excellence, the Canadian Air Transport Security Authority ("CATSA") is committed to achieving an exemplary corporate image and culture, a key element of which is the establishment of, and compliance with, this Code of Ethics and Conduct.

In addition to fostering an exemplary image and culture, this Code aims to promote public and employee trust in CATSA by describing what the public can expect from CATSA and its employees, and what we can expect from one another at CATSA.

This Code also plays a central role in CATSA's commitment to help employees achieve the highest ethical standards possible in their professional activities and relationships by setting out clear guidelines.

#### Authority to Establish this Code

This Code of Ethics and Conduct is established by CATSA's Board of Directors pursuant to the authority set out at Section 24 of the *CATSA Act*.

#### Application

The Code applies to the activities and conduct of all officers and employees of CATSA.

This Code does not apply to persons under contract with CATSA, unless expressly stated in their contract. Nonetheless, any information disclosed to the "**Office of Primary Interest**" or "**OPI**" respecting violations of this Code by any person under contract with CATSA, regardless of what their contract states, will be addressed and actioned as deemed appropriate by the OPI.

#### Overview of Scope of Code

This Code sets out general and specific responsibilities regarding the professional conduct of CATSA employees which are designed to promote an exemplary image and

culture for CATSA. Responsibilities relating to specific areas of concern, such as conflict of interest, are set out in separate measures which are attached as separate chapters of this Code.

In the event of any ambiguity or where there is nothing in this Code to guide a CATSA employee in a specific decision-making exercise, reference should be made to existing Treasury Board policies and guidelines with respect to the applicable matter. Where there is no applicable Treasury Board policy, employees should refer the matter to their manager. When in doubt, managers are encouraged to consult with CATSA's OPI, who will provide guidance.

This Code is intended to reflect the current needs and expectations of the organization and it is anticipated that changes will be made as those needs and expectations evolve. Accordingly, it is anticipated that amendments will need to be made and additional measures will need to be added over the course of time.

## **Definitions**

**“Annual Declaration of Compliance”** means a form substantially in the format attached as Appendix A to this Code, which confirms an employee's understanding and compliance with this Code during the immediately preceding fiscal year.

**“Employee”** or **“We”** means employees and officers of CATSA.

**“Manager”** means the direct supervisor of an employee.

**“Office of Principal Interest”** or **“OPI”** means the CATSA officer or employee that has been delegated the responsibility for administering this Code by the President and CEO.

**“Senior Management Committee”** or **“SMC”** means a committee comprised of the President and CEO and all Vice-Presidents of CATSA.

## **Statement of General Commitments & Responsibilities**

The following are the general commitments and responsibilities applicable to CATSA and its employees pursuant to this Code.

### **CATSA**

CATSA is committed to ensuring the highest standard of business and professional ethics and conduct in the workplace possible, which includes without limitation:

- the avoidance of any actual, potential or apparent conflict of interest;

- promoting a workplace where employees consistently treat one another with trust, respect, dignity and non-discrimination;
- fostering a work environment where problems can be reported and solved, and;
- ensuring that employees receive adequate and appropriate information in relation to the provisions of this Code and making copies of this Code available to each employee.

## **Employees**

Employees have the responsibility at all times to:

- remain familiar with the provisions of this Code of Ethics and Conduct;
- complete and submit their Annual Declaration of Compliance (a sample is attached as Appendix A) to the OPI every year by April 1;
- ensure that their conduct, whether in a professional or personal capacity, does not bring CATSA into disrepute or damage public confidence in CATSA;
- ensure the protection of CATSA's assets and information;
- act in the best interest of the public;
- respect their commitments and obligations (as set out in applicable laws, policies, this Code and their employment agreement),
- report any wrongdoing which occurs in the workplace;
- remain non-partisan in all their actions; and
- provide CATSA with the best advice possible.

## **Responsibility and Authority**

The President and CEO has primary responsibility for applying this Code.

To the extent set out in this Code, the President and CEO delegates that responsibility to the Director with responsibility for ethics at CATSA, the OPI. Unless otherwise expressly stated in this Code, all matters relating to this Code shall be first referred to the OPI. The OPI shall also be responsible for the administration of this Code.

For any matter in this Code requiring a determination by the President and CEO or OPI (or any other person having authority to make a determination pursuant to this Code), such parties may consult with, and disclose all relevant information to, appropriate parties, including without limitation, the SMC, members of the Board of Directors, inside or outside legal counsel or other outside consultants, as necessary to ensure the proper application of this Code and their decision-making authority.

The Board or the appropriate committee of the Board will conduct an annual review of the application of the Code by no later than April 1 each year. The President and CEO and the OPI will provide all information required by the Board or committee (as applicable) as required for such review.

### **Reviews and Amendments**

This Code shall be subject to a review by the OPI by no later than April 1, 2005. Where amendments to this Code are required, they will be proposed in writing by the OPI to CATSA's Senior Management Committee for approval. Amendments are only valid once approved by the Board of Directors.

### **Effective Date**

The effective date of the CATSA's Code of Ethics and Conduct is the date it is approved by the Board of Directors.



## Chapter 2

### Conflict of Interest Measures

#### A. Objectives

These Conflict of Interest Measures are designed to promote public confidence in the integrity of employees and CATSA by establishing rules of conduct respecting conflict of interest and by minimizing the possibility of conflicts arising between the personal interests and the official duties of CATSA employees.

These measures also aim to help employees achieve the highest ethical standards possible with respect to avoidance of conflicts of interest in their professional activities and relationships by defining what is a conflict of interest and setting out clear guidelines for employees faced with an actual, potential or apparent conflict of interest.

#### B. Definitions – Conflict of Interest

“**Conflict of Interest**” means any circumstance where doubt can be cast on an employee’s ability to act with complete objectivity with regard to their official duties because of the existence of an actual, apparent or potential conflicting personal interest.

“**Personal Interest**” means an interest that could cast a doubt on an employee’s ability to act with complete objectivity with regard to their official duties which may include, for example and without limitation, a financial interest, a close personal relationship or a favour or debt that needs repayment.

#### C. Measures

##### C.1 General Responsibilities

It is impossible to set out an appropriate course of action for every situation that represents a conflict of interest. When in doubt, employees should seek guidance from their manager or from the OPI and refer to the following measures as a benchmark against which to gauge appropriate action.

Employees have the following general responsibilities:

- a) In carrying out their official duties, employees should arrange their private affairs in a manner that will prevent actual, apparent or potential conflicts of interest from arising.

- b) If a conflict does arise between the private interests and the official duties of an employee, the conflict should at all times be resolved in favour of the public interest.

Employees also have the following specific duties:

- a) Employees should not have private interests, other than those permitted pursuant to these measures, that would be affected particularly or significantly by CATSA actions in which they participate.
- b) Employees should not solicit or accept transfers of economic benefit in connection with their official duties, other than payment of their salary and other remuneration and reimbursements from CATSA.
- c) Employees should not step out of their official roles to assist private entities or persons in their dealings with CATSA where this would result in preferential treatment to the entities or persons.
- d) 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.
- e) Employees should not directly or indirectly use, or allow the use of CATSA property of any kind, including property leased to CATSA, for anything other than officially approved activities.

## **C.2 What to do in the Event of Conflict of Interest**

In the event of an actual, apparent or potential conflict of interest, employees must immediately report the situation to their manager and in addition, will be required to submit a Confidential Report to the President and CEO, setting out the required information. Attached as Appendix B is a copy of the Confidential Report form, which is to be completed in the event of a conflict of interest. The form explains the type of assets and interests that should be included, those that need not be declared, as well as procedures for divesting assets in the event that a Confidential Report is needed.

There will be instances where in addition to a Confidential Report, additional measures will need to be taken by the employee to avoid the conflict of interest. These may include:

- a) Avoiding or withdrawing from activities or situations that would place the employee in an actual, potential or apparent conflict of interest with his or her official duties.

- b) Having an asset sold at arm's length or placed in a blind trust where continued ownership would constitute a real, apparent or potential conflict of interest with the employee's official duties.

Where additional measures to avoid the conflict of interest are required, the President and CEO will make the decision and communicate it to the employee. In determining appropriate action, the President and CEO will try to achieve mutual agreement with the employee in question and will take into account factors such as:

- a) the employee's specific responsibilities;
- b) the values and types of assets and interests involved; and
- c) the actual costs to be incurred by divesting the assets and interests, as opposed to the potential for a conflict of interest that the assets and interests represent.

Where a material conflict of interest may or seems to exist, the President and CEO may refer the matter to the Board or the appropriate Board committee for determination of the appropriate course of action.

### **C.3 Outside Employment or Activities**

Employees may engage in employment outside of CATSA, and take part in outside activities, provided that the employment or activities are unlikely to give rise to a conflict of interest or in any way undermine the neutrality of CATSA.

Where outside employment or activities might subject employees to demands incompatible with their official duties, or cast doubt on their ability to perform their duties in a completely objective manner, they shall submit a Confidential Report to the President and CEO. The President and CEO may require that the outside activities be curtailed, modified or terminated if it is determined that an actual, apparent or potential conflict of interest exists.

### **C.4 Gifts, Hospitality and Other Benefits**

Employees are called upon to use their best judgment to avoid situations of actual, apparent or potential conflict of interest. In doing so, employees should consider the following criteria with respect to gifts, hospitality and other benefits, keeping in mind the full context of the Code.

Employees shall not accept or solicit any 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 obligation to the donor.

The acceptance of small gifts, hospitality and other benefits (other than free or discounted admission to sporting or cultural events as set out below) is permissible if they:

- a) are infrequent and if the market value is less than \$100 ( promotional items, flowers, chocolate boxes, business meals, souvenirs with no cash value); and
- b) arise out of activities or events related to the official duties of the employee concerned; and
- c) are within the normal standards of courtesy, hospitality or protocol; and
- d) do not compromise or appear to compromise in any way the integrity of the employee concerned or his or her organization.

In no event shall an employee accept any free or discounted admission to sporting or cultural events arising out of an actual or potential business relationship directly related to the employee's official duties.

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 the organization to warrant acceptance of certain types of hospitality, an employee shall seek written direction from the President and CEO or, where the decision-making authority is delegated, from the OPI. The President and CEO will then notify the employee in writing whether the gifts, hospitality and other benefits are to be declined or retained by the organization, donated to charity, disposed of, or retained by the employee concerned.

### **C.5 Solicitation of Benefits or Donations**

At no time should employees solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector that, the employee is aware, has dealings with CATSA.

In the case of fundraising for charitable organizations during work hours, employees should ensure they have prior authorization from their President and CEO or, where the decision-making authority is delegated, from the OPI, to solicit donations, prizes or contributions in kind from external organizations or individuals that have dealings with CATSA. The President and CEO may require that the activities be curtailed, modified or terminated where it is determined that there is an actual, apparent or potential conflict of interest or an obligation to the donor.

### **C.6 Criminal Code Requirements**

Employees are advised of paragraph 121(1) (c) of the Criminal Code, which states:

*“Every one commits an offence, who:  
 (...)being an official or employee of the government, demands, accepts, or offers or agrees to accept, from a person who has dealings with the government, a commission, reward, advantage or benefit of any kind directly or indirectly, by himself or through a member of his family or through*

*any one for his benefit, unless he has the consent in writing of the head of the branch of government that employs him or of which he is an official, the proof of which lies on him”.*

CATSA employees, while not directly employed by the government, are likely to be subject to this provision of the Criminal Code, given that CATSA is for all purposes an agent of Her Majesty in Right of Canada (ref. Section.5(2), *CATSA Act*).

### **C.7 Avoidance of Preferential Treatment – i.e. Family or Friends**

When participating in any decision-making related to a staffing process, employees shall ensure that they are not placed in a decision-making capacity with respect to, and do not grant or direct others to grant, preferential treatment or any other type of assistance to family or friends.

When making decisions that will result in a financial award to an external party, employees shall ensure they are not placed in a decision-making capacity with respect to, and do not grant or direct others to grant, preferential treatment or assistance to family or friends.

Employees should not offer any assistance to entities or persons that have dealings with CATSA, where this assistance is not part of their official duties, without obtaining prior authorization from their manager and complying with the conditions for that authorization.

Providing information that is generally available to the public, to relatives or friends or to entities in which an employee or their family members or friends have interests, is not considered preferential treatment.

### **C.8 Conflict of Interest of the President and CEO**

In the event the President and CEO is faced with circumstances of an actual, apparent or potential conflict of interest or other matter set out herein that would normally be referred to the President and CEO, the President and CEO shall comply with these measures by addressing the matter in accordance with these measures but with the Chair of the Board of Directors having the authority normally provided to the President and CEO under these measures.

## Chapter 3

### Post-Employment Measures

#### A. Objectives

The objective of these measures is to establish rules of conduct for CATSA employees with respect to post-employment. These measures support the general commitments of CATSA and employees' general responsibilities as set out in Chapter 1, as well as the Conflict of Interest Measures in Chapter 2.

#### B. Definitions

“**Executive-Level Employees**” means any employee classified at a Level 3 or higher and any other employee expressly designated as an Executive-Level Employee by the President and CEO for purposes of these measures.

#### C. Measures

##### C.1 General Responsibilities of all Employees

Without unduly restricting their ability to seek other employment, former CATSA employees should undertake to minimize the possibility of real, apparent or potential conflicts of interest between their new employment and their most recent responsibilities at CATSA. Before leaving employment, employees should disclose their intention of future employment and discuss potential conflicts with their manager.

An example of an offer of employment that might place an employee in a real, apparent or potential conflict of interest is where the CATSA employee is one that, by virtue of his or her position at CATSA, has sensitive information that could, if disclosed to the new employer, give the new employer an unfair advantage in the event of a competitive bid, or pose a threat to national security.

##### C.2 Additional Requirements for Executive Level Employees

###### C.2.1 Before Leaving Office

All Executive-Level Employees must disclose in a Confidential Report to the President and CEO, all firm offers of employment that could place them in a real, apparent or potential conflict of interest situation. Executive-Level Employees must also disclose immediately the acceptance of any such offer.

### **C.2.2 Limitation Period**

Former CATSA Executive-Level Employees shall not, within a period of one (1) year after leaving CATSA:

- a) accept appointment to a board of directors of, or employment with, entities (other than the federal government or agents thereof) with which they personally, or through their subordinates, had significant official dealings during the period of one (1) year immediately prior to the termination of their service;
- b) make representations for, or on behalf of, persons (other than the federal government or agents thereof) to any department or organization with which they personally, or through their subordinates, had significant official dealings during the period of one (1) year immediately prior to the termination of their service; or
- c) give advice to their clients using information that is not available to the public concerning the programs or policies of CATSA.

### **C.3 Waiver or Reduction of Post-Employment Restrictions**

The President and CEO has the authority to reduce or waive any of the restrictions and/or limitations relating to the post-employment of any employee. Such a decision should take into consideration:

- a) the circumstances under which the termination of their service occurred;
- b) the general employment prospects of the employee;
- c) the significance of information possessed by the employee by virtue of that individual's position at CATSA;
- d) the desirability of a rapid transfer of the employee's knowledge and skills from CATSA to private, governmental or non-governmental sectors;
- e) the degree to which the new employer might gain unfair commercial or private advantage by hiring the employee; and
- f) the authority and influence possessed by the employee while in CATSA, and the disposition of other cases.

A decision by the President and CEO to waive or reduce a post-employment restriction or limitation must be recorded in writing.

#### **C.4 Disengagement Steps**

The President and CEO, directly or by delegation, must ensure that a CATSA employee who is intending to leave CATSA is aware of these post-employment measures. The CATSA employee may apply to the President and CEO (directly or through the OPI) for reconsideration of any determination respecting her or his compliance with the post-employment measures.

#### **C.5 Post-Employment Measures Applicable to the President and CEO**

The President and CEO is subject to these measures with the exception that, where the President and CEO would normally be addressed or called upon to make a decision, the Chair of the Board of Directors will be addressed or called upon instead and the matter will otherwise be addressed in accordance with these measures.



## Chapter 4

### Prevention and Resolution of Harassment in the Workplace Measures

#### A. Objectives

CATSA is committed to providing a work environment where persons are treated with respect and dignity.

These measures aim to prevent harassment by promoting increased awareness, early problem resolution and the use of mediation. The application of these measures will help create a work environment which promotes the values of fairness, integrity, respect and teamwork for all CATSA employees and other persons working for CATSA.

Dealing with harassment can be a complex matter. What one person may consider to be proper behavior, another may believe to be harassment. Note that the proper exercise of one's authority or responsibility does not generally constitute harassment. Appendix C, which is attached, provides some examples for better understanding.

The *Canadian Human Rights Act* provides every person in the workplace the right to freedom from harassment based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction and specifically provides a right to freedom from sexual harassment.

CATSA's measures go beyond these statutory requirements by addressing other types of workplace harassment such as harassment of a general nature not necessarily related to the *Canadian Human Rights Act*, including rude, degrading or offensive remarks or e-mails, nuisance, threats or intimidation.

These measures promote the prevention of harassment through awareness and focuses on the prompt resolution of harassment in the workplace. Whether the source of harassment comes from within CATSA or from outside, any allegation of harassment will be treated seriously.

#### B. Definitions

**“Complaint”** means a formal allegation of harassment submitted in writing to the delegated manager once informal means of resolution have been exhausted, and which is based on actions defined as *harassment*.

**“Delegated Manager”** means the OPI or other CATSA manager of the opposite sex so appointed for purposes of these measures.

**“Harassment”** means any conduct, comment, gesture or contact by an individual, that is directed at, and offensive to, another person or persons in the workplace, and that the individual knew or ought reasonably to have known would cause offence or harm and includes sexual harassment. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation, offence or embarrassment to any employee, and any act of intimidation, nuisance or threat. It includes, but is not limited to, harassment within the meaning of the *Canadian Human Rights Act*. See Appendix C to this Policy for examples of harassment.

**“Mediation”** means a voluntary process used to resolve conflict by having a neutral person help the disputing parties arrive at a mutually acceptable solution.

**“Sexual Harassment”** means any conduct, comment, gesture or contact of a sexual nature that is likely to cause offence or humiliation to any employee; or that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

## **C. Measures**

When a complaint is made pursuant to these measures, every reasonable effort will be made to ensure the complaint resolution process is completed without undue delay within three (3) months of the date of the complaint.

### **C.1 General Responsibilities**

#### **Employees**

- a) Employees are expected to act towards other individuals professionally and respectfully.
- b) Employees who believe they have been subjected to harassment are expected to communicate to the offending party as soon as possible, directly or through their manager, their disapproval or unease. They can get help or guidance from their manager or such other person designated by CATSA to receive complaints pursuant to these measures.
- c) Employees can expect to be informed of these measures.
- d) Employees can expect prompt action if they report an incident of harassment to their manager or to another appropriate manager.
- e) Employees can expect to be treated seriously and with the utmost discretion, without fear of embarrassment or reprisal when dealing with a harassment situation or involved in the resolution of a complaint.
- f) Employees will be encouraged to participate in a problem resolution process before proceeding with the complaint process.

- g) Employees can expect that neither their name nor the circumstances related to their complaint will be disclosed to any person except where disclosure is necessary for the purposes of investigating the complaint or taking disciplinary measures in relation to the complaint.
- h) Employees are expected to make use of any learning opportunities on the prevention and resolution of harassment in the workplace which may be offered by CATSA.

### **Complainants, respondents and witnesses**

- a) Complainants, respondents and witnesses are expected to provide information as required in the steps noted below under “Complaint process”.
- b) Complainants, respondents and witnesses are expected to co-operate in the complaint process if and when called upon to do so.
- c) Complainants, respondents and witnesses are expected to limit the discussion of the complaint to those who need to know.
- d) Complainants, respondents and witnesses can expect to review their statement as recorded by the investigator, to confirm its accuracy, prior to the final report being submitted.
- e) Complainants and respondents will receive information related to the complaint in writing, including allegations, as noted in the steps below, under “Complaint process”.
- f) Complainants and respondents may have with them, during meetings and interviews related to the resolution of the complaint, a person of their choice who has agreed to accompany them and who is not a party to the process.
- g) Complainants and respondents will be informed in writing of the outcome of the investigation and may at the discretion of CATSA receive a copy of the final report.
- h) If the complaint is founded, complainants will be informed verbally whether corrective or disciplinary measures will be taken as a result of their complaint.
- i) If the complaint is frivolous or in bad faith, respondents will be informed verbally whether corrective or disciplinary measures will be taken against the complainant.

## **Managers**

- a) Managers are expected to lead by example and to act respectfully in dealings with employees and other persons working for CATSA.
- b) Managers are expected to make use of any learning opportunities on the prevention and resolution of harassment in the workplace which may be offered by CATSA.
- c) They are expected to ensure that employees are aware of these measures and to remind them of its contents as deemed necessary.
- d) They are expected to intervene promptly when they become aware of improper or offensive conduct and to involve the parties in resolving the problem.
- e) They are expected to address any alleged harassment of which they are aware, whether or not a complaint has been made. This applies to situations that involve employees as well as other persons working for CATSA.
- f) They are expected to handle all harassment situations confidentially and to ensure that others act accordingly.
- g) They are expected to address the needs of the parties concerned and the working unit, following a complaint, with the assistance of a specialist as needed, in order to establish or re-establish harmonious working relationships.

## **Delegated managers**

- a) Delegated managers are expected to be impartial in any complaint process in which they are involved. Where there is any potential or actual conflict of interest creating a risk of impartiality, the delegated managers are expected to delegate their role to the extent required to avoid such conflict of interest. The role of delegated manager may be delegated to a neutral third party from within or outside CATSA.
- b) Delegated managers are expected to apply the established steps in the complaint process.
- c) They are expected to take the necessary action to ensure the confidentiality of complaints.
- d) They are expected to ensure that both complainants and respondents have access to support and advice during any resolution process associated with the complaint.
- e) They are expected to consider the offer of mediation whether directly or with the help of a qualified mediator.

- f) They are expected to separate the complainant and respondent, hierarchically, physically, or both, for the duration of the complaint process, if they deem it necessary.
- g) They are expected to ensure that corrective and/or disciplinary measures are taken, where warranted.
- h) They are expected to ensure that no documents relating to the harassment complaint are placed in the personnel file of either party, other than a disciplinary letter in the file of the employee who is subject to a disciplinary measure.
- i) They are expected to ensure that parties are provided with the information to which they are entitled.

## **C.2 Early problem resolution**

The objective of early resolution is to resolve any situation or conflict as soon as possible, in a fair and respectful manner without having to resort to the complaint process. Every effort should be made to resolve the problem early using discretion and open communication and in a co-operative manner. The use of problem resolution mechanisms such as coaching, counselling and facilitation can in many instances resolve the issue and prevent the situation from escalating to the point where filing a complaint is necessary. An allegation of harassment is serious.

If a person working for CATSA believes that he or she has been harassed, the following actions should be taken.

The person who feels offended by the actions of another person working for CATSA is encouraged to make it known to that person as soon as possible in an attempt to resolve the problem. If the problem is not resolved or if the offended person does not want to speak directly with the other, the offended person should meet with his or her manager, or with another appropriate manager, or seek advice from an appointed Delegated Manager to provide information on harassment, in an attempt to find a solution and resolve the problem without resorting to a formal complaint process.

Management must make every effort to resolve the issue between the parties as quickly as possible, if necessary with the assistance of the OPI.

## **C.3 Complaint process**

The complaint process applies to CATSA employees. Other persons working for CATSA who believe they have been harassed may report the incident to their CATSA manager, or, if necessary, to another appropriate manager who will address the situation and take appropriate action.

If early resolution is not successful or is not deemed appropriate, an employee may file a complaint with the delegated manager. All steps should be completed without undue delay, normally in three months or less. The sharing of information related to the harassment complaint with the parties must comply with the principles of privacy and access to information legislation.

### **Step 1 – Filing a complaint**

The complainant submits a complaint in writing to the delegated manager within six months of the alleged harassment leading to the complaint. The complaint must include the nature of the allegations; the name of the respondent; the relationship of the respondent to the complainant (e.g., supervisor, colleague); the date and a description of the incident(s); and, if applicable, the names of witnesses. The information provided should be as precise and concise as possible.

### **Step 2 – Screening and acknowledgement of complaint**

Upon receipt of the complaint, the delegated manager screens and acknowledges receipt of the complaint. The criteria used in the screening are that the complaint:

- must be filed within six months of the alleged harassment leading to the complaint, unless there are extenuating circumstances; and
- must include the information noted in Step 1.

If these criteria are met, the delegated manager informs the respondent that a complaint has been received and provides him/her with the particulars of the complaint in writing, including the allegations.

If these criteria are not met, the delegated manager informs the complainant in writing that he or she cannot accept the complaint. If appropriate, the delegated manager suggests other means of resolving the issue.

### **Step 3 – Review of the complaint**

Once the complaint has been acknowledged, the delegated manager reviews the complaint and if necessary, seeks additional information to determine if the allegations are related to harassment.

If the delegated manager concludes that the complaint is not related to harassment, he or she informs the complainant and the respondent in writing. The delegated manager re-directs the complainant to the appropriate avenue of recourse or suggests other means of resolving the issue.

If the allegations are related to harassment, the delegated manager determines what efforts have been made to resolve the problem, identifies immediate avenues of resolution if any, and takes appropriate action.

#### **Step 4 – Mediation**

If the harassment complaint remains unresolved, the delegated manager may offer mediation. If the parties agree to mediation, the delegated manager obtains or provides mediation services.

#### **Step 5 – Investigation**

If mediation has not resolved the complaint, or if mediation was not undertaken, the delegated manager launches an investigation and notifies all involved parties.

If mediation is undertaken at any time during the investigation process, the investigation is suspended. It is resumed only if mediation is unsuccessful.

If the delegated manager is satisfied that he or she has all the facts and that the parties have been heard, he or she may decide not to undertake an investigation and to proceed to Step 6.

#### **Step 6 – Decision**

The delegated manager reviews all the relevant information and decides what action to take. He or she then informs the parties in writing of the outcome of the investigation and ensures that corrective and/or disciplinary measures are taken, if warranted.

### **C.4 Other recourse**

If harassment is based on one of the prohibited grounds of discrimination under the *Canadian Human Rights Act*, employees have the right to file a complaint with the Canadian Human Rights Commission.

Criminal harassment and assaults, including sexual assault, are covered by the *Criminal Code* and in such cases the police should be contacted.

If a complaint on the same issue is or has been dealt with through another avenue of recourse, the complaint process under this policy will not proceed further and the file will be closed.

## Chapter 5

### Internet Usage Measures

#### A. Objectives

The branch responsible for security matters at CATSA has developed this Internet Usage Measures to provide guidance to employees on which behaviors are appropriate and which are not.

CATSA employees are encouraged to explore and use CATSA's Internet facilities to work in support of CATSA's mission, to help provide the highest quality advice to CATSA possible and to discover new ways to use these resources to improve service delivery.

#### B. Definitions

“Security” means the CATSA branch responsible for security matters at CATSA.

#### C. Measures

##### C.1 General Responsibilities

Employees are expected to use their access to the Internet in a responsible and informed way, and to become familiar with generally acceptable network etiquette, customs, and courtesies.

Employees should also bear in mind that all the laws of Canada, including the *Criminal Code*, apply to the use of the Internet by Canadians within Canada. These measures are intended to reflect the spirit of a few of those laws as well as to describe the additional standards of conduct that apply to employees' use of the Internet facilities.

When using the Internet facilities, employees must respect intellectual property rights. Unless permission is granted or copyright is explicitly waived, employees should not copy, distribute or download information from the Internet. When posting or sending information, employees must comply with applicable policies and respect federal and provincial laws and CATSA obligations respecting the handling, disclosure and transmission of information, including the *Security of Information Act*.

These measures are presented as a guide and not as a substitute for the obligation to comply with applicable laws and policies. In the event employees have any questions as to the legality of any conduct, they should consult with their manager.



## **C.2 Appropriate Use**

Employees are encouraged to use the Internet but are expected to do so in a manner that is appropriate for an employee of CATSA. If unsure, employees should ask themselves the following question: Will my actions reflect well on CATSA? If still in doubt, employees must seek advice from their manager.

### **Business-Line Uses**

Employees should use the Internet, when appropriate, to accomplish their job responsibilities more effectively.

Here are some examples of appropriate job-related use of the Internet: accessing external databases and files to obtain reference information or conduct research; corresponding with CATSA's partners and clients; disseminating documents to individuals or groups; and participating in and reading electronic mail discussion groups on job-related topics.

### **Professional Development**

Employees may use the Internet for professional activities and career development.

Examples of professional use include: communicating with fellow members of committees in professional organizations; collaborating on scientific studies and articles; connecting to resources that provide information relating to career and education opportunities; and participating in and reading electronic mail discussion groups on professional or future career development topics.

Use of the Internet for professional activities and career development need not be directly related to an employee's current position. In fact, employees may find the Internet useful for a full range of professional, technical and policy issues of interest to the public service.

### **Personal Use**

Employees may use the Internet on personal time.

Use of the Internet during personal time, allows employees to enhance their knowledge of electronic information resources and sharpen their information technology skills. Internet use provides cost-effective self-training opportunities. In addition, by encouraging the exploration of the Internet on personal time, CATSA's intent is to build a pool of Internet-literate employees who are able to guide and encourage others in their use of Internet facilities.

### **C.3 Inappropriate and Prohibited Use**

Employees are expected to use their reasonable judgment to determine what is inappropriate use of the Internet facilities. Some examples of inappropriate and prohibited use are:

- a) Using the CATSA network for private/personal business, for personal gain, political lobbying or commercial activities.
- b) Using the CATSA network to access or produce hate literature, to harass, to make or distribute discriminatory remarks or to engage in other behavior that has a similar effect.
- c) Using the CATSA network to access pornographic sites or process pornographic material.
- d) Using the CATSA network to send abusive or objectionable language in public messages.
- e) Misrepresenting oneself; other departmental users or the department.
- f) Downloading or copying copyrighted materials (i.e. MP3 files, warez) without permission and in a manner that does not constitute fair dealing as defined under the *Copyright Act*.
- g) Using a CATSA network account other than one's authorized account; using an account for purposes other than those authorized, or modifying files, other data, or passwords belonging to other users.
- h) Engaging in activities, including the development or use of programs, which could cause congestion and disruption of networks and systems (including the sending of chain letters and viruses), or harass other users or infiltrate a computer or computing system. In using the CATSA network, employees must ensure that hardware or software shall not be damaged, destroyed, modified, or abused in any way.

Note: Almost everyone who uses the Internet will occasionally accidentally hit a website which is contrary to these measures. If this happens and steps are immediately taken to leave the site, it will be obvious to Security that there was no intent to contravene the measures, and there will be no need to investigate.

## **C.4 Training**

Managers are encouraged to identify Internet training needs and resources, to support staff attendance at training sessions, and to permit use of official time for maintaining skills.

## **C.5 Blocking of Access to Certain Sites**

Blocking software prevents access to inappropriate sites. CATSA may implement the use of such software at its discretion. The use of any Internet e-mail systems such as Hotmail or Yahoo! mail is prohibited and steps will be taken to restrict access to these websites.

## **C.6 Auditing**

Employees are expected to recognize a need to balance work-related and personal access to the Internet. While encouraging personal use of the Internet, CATSA reserves the right to monitor compliance with this and other government policies related to computer use. As such, CATSA does perform some auditing of Internet access.

Should a manager have reasonable and probable grounds to believe that an employee is abusing its Internet privileges, the manager may request that Security conducts a personal audit of that employee's Internet activity. Depending upon the suspected seriousness of the infraction, Security may access files stored on servers or local hard drives, or portable media reasonably accessible and may suspend your LAN access privileges. Employees will be advised in writing of the audit request and the results of the audit will be formally communicated to them within 30 days of the original request.

Periodically, Security will randomly select a number of access records from the software logs for analysis. Should this random selection indicate probable cause for further investigation then Security will contact the employee's manager and request that a personal audit of all Internet activity be undertaken. All information related to employee Internet usage and audits is registered and retained by CATSA.

## Chapter 6

### Measures for Disclosure of Wrongdoing in the Workplace

#### A. Objectives

CATSA is committed to ensuring that any CATSA employee who has reasonable grounds to believe that another employee has committed or will commit a wrongdoing in the workplace is and feels protected when reporting the wrongdoing. The objectives of these measures are to:

- a) provide employees with the avenue to disclose wrongdoing in the workplace;
- b) ensure employees are treated fairly and are protected from reprisal when disclosing wrongdoing;
- c) provide employees with Internal Disclosure procedures; and
- d) ensure valid allegations are dealt with promptly and the necessary corrective action is taken.

Employees have a general responsibility to promptly report any wrongdoing that they become aware of in the workplace.

#### B. Definitions

**“Disclosure”** means the good faith reporting of information by one or more CATSA employees, based on reasonable belief, concerning a wrongdoing that one or more other employees has or have committed or intend to commit.

**“Duty of loyalty”** means the commitment of each employee to fulfill their duties faithfully and honestly and not to disclose confidential, sensitive/classified information unless authorized to do so.

**“Reprisal”** means an act of retaliation as evidenced by any improper or offensive conduct by an individual (or group of individuals), to a person who has made a disclosure, and that the individual(s) knew or ought reasonably to have known, would cause offence or harm. This could comprise an act of intimidation or threat, often implicitly, that could adversely affect the performance or the career opportunities of the individual.

**“Responsible use of information”** means as use of information that:

- a) shows proper concern for its accuracy and for the legitimacy of how the information is acquired; and
- b) shows proper concern for its protection and authorized disclosure in accordance with the applicable policies including without limitation, CATSA security policies.

**“Wrongdoing”** means as an act or omission concerning:

- a) a violation of any law or regulation;
- b) misuse of public funds or assets;
- c) a derogation to the Code of Ethics and Conduct by CATSA employees;
- d) a gross mismanagement of financial or other resources; or
- e) a substantial and specific danger to the life, health and safety of CATSA employees or of the public and/or the environment.
- f) an act of reprisal taken as a result of a disclosure made in good faith

## **C. Measures**

### **C.1 General Responsibilities**

**Employees** wishing to make a disclosure are responsible for:

- a) using government and other confidential, classified, personal information responsibly in accordance with their duty of loyalty and CATSA Code of Ethics and Conduct;
- b) following the Internal Disclosure procedures as set out in Appendices D and E;
- c) respecting the reputation of individuals by not making trivial or vexatious disclosures.

**Managers** are responsible for:

- a) ensuring and promoting a culture of open communication where employees are encouraged, and feel protected, to disclose information concerning wrongdoing;
- b) acting promptly when information concerning wrongdoing is brought to their attention;

- c) informing all employees of these measures;
- d) ensuring that their employees understand the requirements to use government information responsibly;
- e) ensuring employees who disclose information are treated fairly and protected from reprisal.

**The OPI** is responsible for:

- a) disseminating information on these measures, providing interpretation and advice to employees who choose to disclose information;
- b) ensuring that the privacy rights of both parties, the employee making the disclosure and the employee implicated or alleged to be responsible for the wrongdoing, are respected;
- c) establishing adequate procedures to ensure the protection of the information and the treatment of the files in accordance with the *Privacy Act* and the *Access to Information Act*;
- d) explaining the parameters of confidentiality the employee can expect when disclosing information, in accordance with the *Privacy Act* and the *Access to Information Act*;
- e) ensuring that disclosures are investigated when required, and that prompt, appropriate action is taken in all cases;
- f) ensuring that procedures are in place to manage disclosures that require immediate or urgent action;
- g) presenting an annual report on Internal Disclosures to the President and CEO.

**The President and CEO** is responsible for:

- a) ensuring that appropriate administrative and disciplinary measures are in place to correct instances of wrongdoing or when disclosure is made in a manner that is not in conformance to these measures;
- b) presenting an annual report on Internal Disclosures to the CATSA Board of Directors.

## **C.2 General**

### **C.2.1 Reports of Wrongdoing to the OPI**

All CATSA employees must bring reports of wrongdoing directly to the attention of the OPI when it is not possible to use another internal avenue, whether due to the individual(s) involved in the alleged wrongdoing or fear of reprisal.

Employees must also report to the OPI any instance where they believe they are the subject of a reprisal as a direct consequence of having made a disclosure or given evidence as a witness in accordance with these measures.

### **C.2.2 Vexatious or Trivial Disclosures**

Employees who make vexatious or trivial disclosures, disclosures in bad faith or who retaliate against another employee who either discloses a wrongdoing or who has been called as a witness in a legal or administrative proceeding, will be subject to administrative and disciplinary measures up to and including dismissal.

### **C.2.3 Protection of Information**

Any information collected from an employee of CATSA during a disclosure will be protected subject to the provisions of the *Access to Information Act* and *Privacy Act* that govern the confidentiality and the disclosure of information within the federal government's Crown corporations.

## **C.3 Wrongdoing by a SMC Member or the OPI**

Where a wrongdoing involves the OPI, employees must report the wrongdoing directly to the President and CEO and not the OPI. In the foregoing circumstances, the President and CEO will act as the OPI for the specific wrongdoing.

Where a wrongdoing involves a member of the SMC, including without limitation the President and CEO, employees must report the wrongdoing directly to the Chair of the Board of Directors, or such other Board member designated for purposes of these measures (“**Board Appointee**”) and not the OPI. In the foregoing circumstances, the Board Appointee will act as the OPI for the specific wrongdoing and the particular SMC member will not be involved in any investigation or decision-making relating to the reported wrongdoing.

## **C.4 Direct Disclosure to Board Appointee**

Employees may also contact the “**Board Appointee**” directly where:

- a) the employee believes that their issue could not be raised in confidence with CATSA; or

- b) where the employee has disclosed an incident of wrongdoing by means of the mechanisms set out in these measures and the employee believes that their disclosure was not reviewed and/or investigated adequately.

Employees wishing to contact the Board Appointee must do so in writing with supporting details of the wrongdoing; the efforts to resolve the matter in accordance with these measures (if any) and the grounds for contacting the Board Appointee for further investigation.

Where the employee disclosure is made in accordance with these measures, the Board Appointee will conduct such investigations as deemed necessary in order to make a final determination on the matter.



# Appendix A

## Annual Statement of Compliance

In support of CATSA’s goal of corporate excellence, employees are expected to, at all times, remain familiar and comply with CATSA’s Code of Ethics and Conduct (the “**Code**”). To this end, and to ensure we are regularly reminded of the importance of upholding the principles and guidelines of the Code, and complying with these, all employees are required to sign this Annual Statement of Compliance and deliver it to the Director responsible for ethics at CATSA (“**OPI**”).

The undersigned (“I”) acknowledges and confirms the following:

- I have recently read and understood CATSA’s Code of Ethics and Conduct and am familiar with its contents as of the date of signature below. Where I have not understood any element of the Code, I have obtained clarification from my manager, the OPI and/or CATSA legal counsel.
- I undertake to comply with the provisions of the Code of Ethics and understand that any violation of the Code will be treated as a serious matter and may lead to dismissal and/or prosecution.

Applicable for fiscal year ending on March 31, \_\_\_\_\_.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*\*\*

# Appendix B

## Confidential Report

### REPORT OF ASSETS, LIABILITIES AND PARTICIPATION IN OUTSIDE EMPLOYMENT AND OTHER ACTIVITIES SUBJECT TO REPORT IN ACCORDANCE WITH THE CODE OF ETHICS AND CONDUCT

Name (Print)	Classification	Position title
Branch/Division		Place of work

Note: if space below is insufficient, attach second page

In compliance with CATSA's Code of Ethics and Conduct, I hereby disclose the following non-exempt assets, direct and contingent liabilities and outside employment and other activities, which I fully understand may have to be divested, curtailed or modified if it is determined that such assets, liabilities or activities give rise to an actual, apparent or potential conflict of interest in respect of the duties and responsibilities of the position offered to or occupied by me:

Description of Assets: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Description of Liabilities: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Description of Outside Activities: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Signature \_\_\_\_\_ Date

#### Privacy Statement

The Code of Ethics and Conduct forms part of the conditions of employment. The information you provide on this confidential report is collected under the provisions of the Code for the purposes of ensuring compliance and maintaining information about actual, apparent or potential conflict of interest situations for employees and officers of CATSA. Personal information that you provide is protected under the provisions of the *Privacy Act*.

## **Exempt Assets**

Assets and interests intended for the private use of employees and assets that are not of a commercial character are not subject to the compliance measures. Such assets include:

- a. residences, recreational property and farms used or intended for use by employees or their families;
- b. household goods and personal effects;
- c. works of art, antiques and collectibles;
- d. automobiles and other personal means of transportation;
- e. cash and deposits;
- f. Canada Savings Bonds and other similar investments in securities of fixed value issued or guaranteed by any level of government in Canada or agencies of those governments;
- g. registered retirement savings plans that are not self-administered;
- h. registered home ownership saving plans;
- i. investments in open-ended mutual funds;
- j. guaranteed investments certificates and similar financial instruments;
- k. annuities and life insurance policies;
- l. pension rights;
- m. money owed by a previous employer, client or partnership; and
- n. personal loans receivable from members of the employee's immediate family and small personal loans receivable from other persons where the employee has loaned the moneys receivable.

## **Assets and Liabilities Subject to Confidential Report**

Assets and liabilities which may be subject to a Confidential Report include:

- a. publicly traded securities of corporations and foreign governments and self-administered Registered Retirement Savings Plans composed of such securities;
- b. interests in partnerships, proprietorships, joint ventures, private companies and family businesses, in particular those that own or control shares of public companies or that do business with the Government;
- c. farms under commercial operation;
- d. real property that is not an exempt asset;
- e. commodities, futures and foreign currencies held or traded for speculative purposes;
- f. assets that are beneficially owned, that are not exempt assets and that are administered at arm's length;
- g. secured or unsecured loans granted to persons other than to members of the employee's immediate family;
- h. any other assets or liabilities that could give rise to a real or potential conflict of interest due to the particular nature of the employee's duties and responsibilities; and
- i. direct and contingent liabilities in respect of any of the assets described in this section.

## **Outside Activities**

Involvement in outside employment and other activities by employees is not prohibited unless the employment or other activity is such that it is likely to result in a conflict of interest. It is the responsibility of the employee to make a Confidential Report to the designated official of involvement in an outside activity that could place on the employee demands inconsistent with his or her official duties and responsibilities, or call into question the employee's capacity to perform his or her official duties and responsibilities objectively. The designated official may require that such activity be curtailed, modified, or ceased when it has been determined that a real or potential conflict of interest exists.

### **Procedure for the Divestment of Assets**

CATSA employees must divest assets where the President and CEO determines that such assets constitute a real, apparent or potential conflict of interest in relation to their duties and responsibilities. Divestment, where required, must take place within 120 days of appointment, transfer or deployment. Divestment of assets is usually achieved by selling them through an arm's-length transaction or by making them subject to a blind trust arrangement.

Where divestment is by means of sale, confirmation of the sale, such as a broker's sales receipt, shall be provided to the President and CEO.

Where divestment is by means of a blind trust, the OPI for the Code of Ethics and Conduct will assist the President and CEO and the CATSA employee to set up a blind trust and to determine whether a specific blind trust meets the requirements of the Conflict of Interest Measures. The OPI will also make recommendations to the President and CEO on the reimbursement of certain trust costs to the employee by the organization.

Note that an employee may not sell or transfer assets to family members or others for purposes of circumventing the compliance measures.

## Appendix C

### Guide for determining what constitutes harassment

Some questions that can help assess whether the behaviour (act, comment or display) constitutes harassment:

- Is the behaviour unwelcome or offensive?
- Would a reasonable person view the conduct as unwelcome or offensive?
- Did it demean, belittle or cause personal humiliation or embarrassment?
- Is it a single incident?
- Is it a series of incidents over a period of time?

It is also important to consider the severity and impropriety of the act, the circumstances and context of each situation, and whether the behaviour is prohibited under the *Canadian Human Rights Act*. The prohibited grounds are race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction. The following are some examples, but not an exhaustive list, to clarify what is meant by harassment.

What generally constitutes harassment	What may constitute harassment	What does not generally constitute harassment
<ul style="list-style-type: none"> <li>• <i>Serious or repeated</i> rude, degrading, or offensive remarks, such as teasing about a person's physical characteristics or appearance, put-downs or insults.</li> <li>• Displaying sexist, racist or other offensive pictures, posters, or sending e-mails related to one of the eleven grounds prohibited under the <i>Canadian Human Rights Act</i>.</li> </ul>	<ul style="list-style-type: none"> <li>• Criticizing an employee in public.</li> </ul>	<ul style="list-style-type: none"> <li>• Allocating work.</li> <li>• Following up on work absences.</li> <li>• Requiring performance to job standards.</li> <li>• Taking disciplinary measures.</li> <li>• <i>A single or isolated</i> incident such as an inappropriate remark or abrupt manner.</li> </ul>
<ul style="list-style-type: none"> <li>• <i>Repeatedly</i> singling out an employee for meaningless or dirty jobs that are not part of their normal duties.</li> </ul>	<ul style="list-style-type: none"> <li>• Exclusion from group activities or assignments.</li> </ul>	<ul style="list-style-type: none"> <li>• Exclusion of individuals for a particular job based on specific occupational requirements necessary to accomplish the safe and efficient performance of the job.</li> </ul>
<ul style="list-style-type: none"> <li>• Threats, intimidation or retaliation against an employee, including one who has expressed concerns about perceived unethical or illegal workplace behaviours.</li> </ul>	<ul style="list-style-type: none"> <li>• Statements damaging to a person's reputation.</li> </ul>	<ul style="list-style-type: none"> <li>• Measures taken against someone who is careless in his or her work, such as in the handling of secret documents.</li> </ul>
<ul style="list-style-type: none"> <li>• Unwelcome social invitations, with sexual overtones or flirting, with a subordinate.</li> <li>• Unwelcome sexual advances.</li> </ul>	<ul style="list-style-type: none"> <li>• Making sexually suggestive remarks.</li> <li>• Physical contact such as touching or pinching.</li> </ul>	<ul style="list-style-type: none"> <li>• A social relationship welcomed by both individuals.</li> <li>• Friendly gestures among co-workers such as a pat on the back.</li> </ul>

Sexual and physical assault are covered by the *Criminal Code*.



## **Appendix D**

### **Internal Disclosure and Resolution Procedures**

Employees who become aware that a wrongdoing has been committed or will be committed should first attempt to raise the matter using the usual reporting relationship. If that has not been successful or if that is not possible, employees may communicate with the OPI.

The OPI is available to provide information on the Measures for Disclosure of Wrongdoing in the Workplace and to provide informal advice to employees who are considering making a disclosure. The OPI will also explain the parameters of confidentiality the employees can expect when they make a disclosure.

An employee who comes to seek advice or to make a disclosure can be accompanied by an observer of her/his choice.

What follows is the basic process that will be followed when an employee decides to make a disclosure concerning wrongdoing. Each step should be completed promptly. All steps should normally be completed within six (6) months or less. The nature of certain disclosures might require very prompt, sometimes immediate, action.

#### **Step 1 – Disclosure of wrongdoing**

An employee who has not been able to resolve a matter through the normal reporting relationship should disclose the information to the OPI, preferably in writing using the form attached as Appendix E. The disclosure must include the nature of the wrongdoing, the name of the person alleged to have committed the wrongdoing, the date and description of the wrongdoing, and other pertinent information. The information should be as precise and concise as possible.

#### **Step 2 – Screening and review of a disclosure**

The OPI will review the information and determine if there are sufficient grounds for further action. The disclosure may be rejected if it is determined that it is trivial and vexatious, fails to allege or give adequate particulars of a wrongful act, or if it is determined that it was not given in good faith or on the basis of reasonable belief.

The OPI may also decline to review a disclosure if it is determined that the matter could be dealt with more appropriately by means of a procedure provided for under another policy or law in force in Canada. Alternatively, the OPI may choose, following consultation with the employee, to deal with the disclosure while the other procedure is in progress or, deal with the disclosure while the other procedure is held in abeyance.

The disclosure of any criminal activity or action will be referred to the police agency having jurisdiction for investigation.

Where the OPI is the Chair of the Board, there may be circumstances where the Chair will need to discuss the matter with CATSA.

The OPI will inform the employee in writing of whether he/she will proceed further. Where the OPI is the Chair of the Board, he will also inform the President and CEO. If the OPI decides to proceed further, he/she will decide, from the nature and particulars of the wrongdoing what are the most appropriate next steps, which include attempt at resolution and/or investigation.

### **Step 3 – Attempt at resolution**

It is expected that most situations will be addressed by discussing the matter with the employees concerned, identifying avenues of resolution and taking appropriate action.

### **Step 4 – Investigation**

If the matter cannot be resolved, the OPI may initiate an investigation. He may decide to investigate immediately following the preliminary review of the disclosure.

### **Step 5 – Decision**

The OPI will prepare a report, including recommendations, for the President and CEO. The President and CEO shall review the recommendations and make a decision.

As a result of the President and CEO's decision, the OPI will inform the parties in writing of the outcome of the investigation. When required, corrective measures will be taken.



## Appendix E

### Internal Disclosure Form

**PROTECTED WHEN COMPLETED**

<b>INTERNAL DISCLOSURE OF INFORMATION CONCERNING WRONGDOING IN THE WORKPLACE</b>	
TO: OPI for the Code of Ethics and Conduct	
Name, title, address and telephone number of the employee alleged to have committed the wrongdoing:	
Date(s) of the alleged wrongdoing:	
Description of the alleged wrongdoing:  (Use additional sheet of paper, if required.)	
Witnesses: Name, title, address and telephone number	
List of annexed documents:	
Name, title, address and telephone number of employee making the internal disclosure:	
Signature:	Date:

If this form is sent by mail, please place in an envelope marked PROTECTED and seal it in another envelope.

Please see the reverse side of this form for information on confidentiality protection.

Every employee has an obligation to disclose any instance of wrongdoing in the workplace as required by the Measures for the Disclosure of Wrongdoing in the Workplace.

CATSA will strive to foster a work environment where individual rights are respected and where personal integrity is uncompromised. CATSA is committed to treating all employees in a fair, reasonable and respectful manner and in ensuring every measure is taken to protect employees who disclose information, from reprisal or retaliation, and to protect employees who are alleged to have committed a wrongdoing, from vexatious disclosures or disclosures in bad faith.

Once a disclosure is made whether verbally or in writing, any information collected will be protected subject to the provisions of the *Access to Information Act* and *Privacy Act* that govern the confidentiality and the disclosure of information within the federal government.

Although CATSA cannot guarantee total confidentiality or the anonymity of persons who make a disclosure or who give testimony as a witness regarding a wrongdoing in any legal proceedings, all efforts will be made to ensure that the employee's right to privacy is respected, subject to the confines authorized by Canadian law.