



Canadian Dairy  
Commission

Commission  
canadienne du lait

## **Code of Ethics**

**April 2, 2012**

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## **Introduction**

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The Canadian Dairy Commission (CDC) provides policies, programs, facilitation and expertise to stakeholders of the dairy industry and to other levels of government to enhance the vitality of the Canadian dairy industry for the benefit of all stakeholders. The CDC reports to Parliament and Canadians through the Minister of Agriculture and Agri-Food.

As they fulfill the mandate and the mission of the organization, CDC employees must demonstrate the values of the federal public service, and seek to maintain and enhance the confidence of the public in the integrity of the federal public service.

## Part I: Code of ethics of the CDC

### The Role of CDC Employees

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CDC employees have a fundamental role to play in serving Canadians, their communities and the public interest under the direction of the elected government and in accordance with the law. As professionals whose work is essential to Canada's well-being and the enduring strength of the Canadian democracy, employees uphold the public trust.

The Constitution of Canada and the principles of responsible government provide the foundation for the role, responsibilities and values of the federal public sector.<sup>1</sup> Constitutional conventions of ministerial responsibility prescribe the appropriate relationships among ministers, parliamentarians, public servants<sup>2</sup> and the public. A professional and non-partisan federal public sector is integral to our democracy.

### The Role of Ministers

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Ministers are also responsible for preserving public trust and confidence in the integrity of public sector organizations and for upholding the tradition of a professional non-partisan federal public sector. Furthermore, Ministers play a critical role in supporting public servants' responsibility to provide professional and frank advice.<sup>3</sup>

### Objectives

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This Code outlines the values and expected behaviours that guide employees at the CDC in all activities related to their professional duties. By committing to these values and adhering to the expected behaviours, employees strengthen the ethical culture of the public sector and contribute to public confidence in the integrity of all public institutions.

This Code fulfills the requirement of section 6 of the *Public Servants Disclosure Protection Act*, which requires federal organizations to establish a code of conduct. It was developed in consultation with employees and it includes the principles and requirements of the

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<sup>1</sup> This Code is intended to clarify the role and expectations of public servants within the framework of Canadian parliamentary democracy as laid out in the *Constitution Act* and the basic principle of responsible government, which holds that the powers of the Crown are exercised by ministers who are in turn accountable to Parliament.

<sup>2</sup> The *Public Servants Disclosure Protection Act* (PSDPA) defines "public servant" as every person employed in the public sector (this includes the core public administration, Crown corporations and separate agencies). Every member of the royal Canadian Mounted Police and every chief executive (including deputy ministers and chief executive officers) are also included in the definition of public servant for the purpose of the PSDPA.

<sup>3</sup> This text reflects the duties and responsibilities set out in *Accountable Government - A Guide for Ministers and Ministers of State*, the *Conflict of Interest Act*, the *Lobbying Act* and the PSDPA.

*Values and Ethics Code for the Public Sector*, which applies to federal public sector organizations.

## **Statement of Values**

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These values are a compass to guide employees in everything they do. They cannot be considered in isolation from each other as they will often overlap. This Code is the main source of guidance for employees at the CDC in choosing their course of action. The values of this Code must be integrated in our decisions, actions, policies, processes, and systems. Similarly, employees at the CDC can expect to be treated in accordance with these values.

### **Respect for Democracy**

The system of Canadian parliamentary democracy and its institutions are fundamental to serving the public interest. Employees recognize that elected officials are accountable to Parliament, and ultimately to the Canadian people, and that a non-partisan public sector is essential to our democratic system.

### **Respect for People**

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

### **Integrity**

Integrity is the cornerstone of good governance and democracy. By upholding the highest ethical standards, employees conserve and enhance public confidence in the honesty, fairness and impartiality of the federal public sector.

### **Stewardship**

CDC employees are entrusted to use and care for public resources responsibly, for both the short term and long term.

### **Excellence/professionalism**

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

### **Leadership**

CDC employees are aware of the trends and events that will affect the organization and the industry. They exercise good judgment in implementing necessary changes. New ideas are embraced and team work is deemed essential. CDC supervisors lead by example.

## **Expected Behaviours**

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CDC employees are expected to conduct themselves in accordance with the values of the public sector and these expected behaviours.

### **1. RESPECT FOR DEMOCRACY**

Employees shall uphold the Canadian Parliamentary democracy and its institutions by:

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

### **2. RESPECT FOR PEOPLE**

Employees shall respect human dignity and the value of every person by:

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

### **3. INTEGRITY**

Employees shall serve the public interest by:

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

### **4. STEWARDSHIP**

Employees shall use resources responsibly by:

- 4.1 Effectively and efficiently using the public money, property and resources managed by them.
- 4.2 Considering the present and long-term effects that their actions have on people and the environment.

4.3 Acquiring, preserving and sharing knowledge and information as appropriate.

## **5. EXCELLENCE/PROFESSIONALISM**

Employees shall demonstrate professional excellence by:

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

## **Application**

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Acceptance of these values and adherence to the expected behaviours is a condition of employment for every employee of the CDC, regardless of their level or position. A breach of these values or behaviours may result in disciplinary measures being taken, up to and including termination of employment.

Further to the definition in the *Public Servants Disclosure Protection Act (PSDPA)*, the term "public servant" includes every person employed at the CDC. This includes the CEO, indeterminate and term employees, individuals on any form of leave, including leave without pay, students participating in Student Employment Programs, casual, seasonal and part-time workers. It excludes the chairperson and the commissioner.

Although they are not public servants, individuals on incoming Interchange Canada assignments are expected to comply with, and volunteers are expected to respect, the requirements of this Code, which includes those of the *Values and Ethics Code for the Public Sector* and Appendix B of the *Policy on Conflict of Interest and Post-Employment*.

The *Code of Ethics of the Canadian Dairy Commission* came into force on April 2, 2012.

## **Avenues for Resolution**

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The expected behaviours are not intended to respond to every possible ethical issue that might arise in the course of an employee's daily work. When these issues arise, employees are encouraged to discuss and resolve these matters with their immediate supervisor. They can also seek advice and support from other appropriate sources within their organization.

Employees at all levels are expected to resolve issues in a fair and respectful manner and consider informal processes such as dialogue or mediation. At the CDC, the Integrated Resolution Services group, in the Human Resources Branch of AAFC, provides options to help prevent, manage, and resolve workplace conflict.

As provided by Sections 12 and 13 of the PSDPA, if employees have information that could indicate a serious breach of this Code, or of the *Values and Ethics Code for the Public Sector*, they can bring the matter, in confidence and without fear of reprisal, to the attention of their immediate supervisor or the Public Sector Integrity Commissioner.

Members of the public who have reason to believe that an employee has not acted in accordance with this Code can bring the matter to the CEO, or to the Public Sector Integrity Commissioner to disclose a serious breach of this Code.

## **Duties and Obligations**

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### **Employees of the CDC**

Employees of the CDC are expected to abide by this Code and demonstrate the values of the public sector in their actions and behaviour. If an employee does not abide by these values and expectations, he or she may be subject to administrative or disciplinary measures up to and including termination of employment.

Employees who are also managers are in a position of influence and authority that gives them a particular responsibility to exemplify the values of the public sector.

As provided by Sections 12 and 13 of the *Public Servants Disclosure Protection Act* (PSDPA), if employees have information that could indicate a serious breach of this Code they can bring this matter, in confidence and without fear of reprisal, to the attention of their immediate supervisor or the Public Sector Integrity Commissioner.

### **CEO of the Canadian Dairy Commission**

The CEO has specific responsibilities under the PSDPA, including establishing a code of conduct for the CDC and an overall responsibility for fostering a positive culture of values and ethics at the CDC. The CEO must ensure that employees are aware of their obligations under this Code, and that employees can obtain appropriate advice within their organization on ethical issues, including possible conflicts of interest. The CEO must also ensure that this Code and the internal disclosure procedures under the PSDPA are implemented effectively at the CDC, and are regularly monitored and evaluated. The CEO may rely on upper management for support in this duty.

The CEO is responsible for ensuring the non-partisan provision of programs and services by the CDC.

The CEO is subject to this Code and to the *Conflict of Interest Act*.

### **Treasury Board of Canada Secretariat - Office of the Chief Human Resources Officer**

In support of the Treasury Board President's responsibilities under section 4 of the PSDPA, the Office of the Chief Human Resources Officer (OCHRO) is responsible for promoting ethical practices in the public sector<sup>4</sup>. The OCHRO will work with all relevant partner organizations to implement and promote the Values and Ethics Code for the Public Sector, and will provide advice to chief executives and designated departmental officials with respect to its interpretation.

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<sup>4</sup> Section 4 of the PSDPA assigns this responsibility to the Minister responsible for the Public Service Human Resources Management Agency of Canada (subsequently the Canada Public Service Agency (CPSA)). With the creation of the Office of the Chief Human Resources Officer within Treasury Board of Canada Secretariat on February 6, 2009, the functions of the CPSA were transferred to the OCHRO.

The Chief Human Resources Officer may issue directives, standards and guidelines related to the Values and Ethics Code for the Public Sector.

OCHRO will monitor the implementation of the *Code of Ethics of the CDC*, with a view to assessing whether the stated objectives have been achieved.

### **Public Service Commission**

The Public Service Commission (PSC) is responsible for conducting staffing investigations and audits to safeguard the integrity of the public service staffing system and administering certain provisions related to political activities to maintain the non-partisanship of the public sector in accordance with the *Public Service Employment Act*.

## Part II: Conflict of Interest and Post-Employment

### Requirements for employees to prevent and deal with conflict of interest and post-employment situations

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Following are the conflict of interest and post-employment requirements that are a condition of employment for CDC employees, which include the requirements contained in the Treasury Board *Policy on Conflict of Interest and Post-Employment*. These requirements are grounded in and serve to uphold the values described in the *Values and Ethics Code for the Public Sector*, which are expressed in Part I of this Code. By upholding these ethical standards, employees conserve and enhance public confidence in the honesty, fairness and integrity of the public service. These requirements also form part of Canada's commitments as a signatory to international agreements on values and ethics.

#### Definitions

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**Conflict of Interest:** a situation in which an employee<sup>5</sup> has private interests that could improperly influence the performance of his or her official duties and responsibilities or in which an employee uses his or her office for personal gain. A *real* conflict of interest exists at the present time, an *apparent* conflict of interest could be perceived by a reasonable observer to exist, whether or not it is the case, and a *potential* conflict of interest could reasonably be foreseen to exist in the future.

**Conflict of duties:** a conflict that arises, not because of an employee's private interests, but as a result of one or more concurrent or competing official responsibilities. For example, these roles could include his or her primary public service employment and his or her responsibilities in an outside role that forms part of his or her official duties, such as an appointment to a board of directors, or other outside function.

**Third party:** an individual, group, or organization external to the Government of Canada, such as a private individual, a business, a society, an association, or a university.

**Immediate family:** parents, siblings and children of the employee or of his or her spouse.

#### Prevention of conflict of interest

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CDC employees maintain public confidence in the objectivity of the public service by preventing and avoiding situations that could give the appearance of a conflict of interest, result in a potential for a conflict of interest, or result in an actual conflict of interest. Conflict of interest does not relate exclusively to matters concerning financial transactions and the transfer of economic benefit. While financial activity is important, conflicts of interest in any area of activity can have a negative impact on the perceived objectivity of the public service. With the permanent and pervasive nature of information technology, employees should be particularly sensitive to real, apparent or potential conflicts of interest that may arise from messages and information transmitted via the Internet and other media.

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<sup>5</sup> Order-in-council appointees, such as the members of the Board, are subject to the *Conflict of Interest Act*, and are not subject to Part II of this Code.

It is impossible to foresee every situation that could give rise to a real, apparent or potential conflict of interest. When in doubt, employees at the CDC should refer to the requirements found in this Code to guide appropriate action. Employees at the CDC can also seek guidance from their manager or from the CEO.

In addition to the requirements outlined in this Part, employees are also required to observe any specific conduct requirements contained in the statutes governing the CDC and their profession, where applicable.

### **General responsibilities and duties**

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An employee's general responsibilities and duties include:

- a) Taking all possible steps to recognize, prevent, report, and resolve any real, apparent or potential conflicts of interest between their official responsibilities and any of their private affairs;
- b) Unless otherwise permitted by this Code, refraining from having private interests, which would be unduly affected by government actions in which they participate, or of which they have knowledge or information;
- c) Not knowingly taking advantage of, or benefiting from, information that is obtained in the course of their duties that is not available to the public;
- d) Refraining from the direct or indirect use of, or allowing the direct or indirect use of government property of any kind, including property leased to the government, for anything other than officially approved activities or activities permitted by the CDC Policy on Information Technology;
- e) Not assisting private entities or persons in their dealings with the government where this would result in preferential treatment of the entities or persons;
- f) Not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome;
- g) Maintaining the impartiality of the public service and not engaging in any outside or political activities that impair or could be seen to impair their ability to perform their duties in an objective or impartial manner; and
- h) Ensuring that any real, apparent or potential conflict that arises between their private activities and their official responsibilities as an employee is resolved in the public interest.

### **Preventing and Dealing with Situations of Conflict of Interest During Employment**

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CDC employees are required to report in writing to the CEO all outside activities, assets and interests that might give rise to a real, apparent or potential conflict of interest in relation to their official duties. Such a report is to be made within 60 days of their initial appointment or any subsequent appointment, transfer or deployment. Reports should be made using the CDC Conflict of Interest Disclosure form (Appendix 1), and submitted to the CEO.

At least every three years thereafter, and every time a major change occurs in their personal affairs or official duties, every employee is required to review his or her

obligations under this Code, which includes the obligations of the *Values and Ethics Code for the Public Sector* and the *Treasury Board Policy on Conflict of Interest and Post-Employment*. If a real, apparent or potential conflict of interest exists, he or she is to file a report in a timely manner.

When negotiating financial arrangements with outside parties, employees are to comply with the requirements listed in this Code as well as other related directives or policies issued by the Treasury Board. When in doubt, employees are to immediately report the situation to their managers in order to seek advice or direction on how to proceed.

### **Assets**

Employees are required to evaluate their assets, taking into consideration the nature of their official duties and the characteristics of their assets. If there is any real, apparent or potential conflict of interest between the carrying out of their official duties and their assets, they are to report this matter to the CEO in a timely manner, using the Conflict of Interest Disclosure form (Appendix 1).

Where the CEO determines that any of these assets results in a real, apparent or potential conflict of interest in relation to their official duties, employees may be required to divest those assets, or take other measures to resolve the conflict. Employees may not sell or transfer assets to family members or anyone else for the purpose of circumventing the compliance requirements.

The types of assets that should be reported and the procedures for reporting and managing such assets are set out in the *TBS Directive on Reporting and Managing Financial Conflicts of Interest*.

#### *CDC-related assets*

If an employee at the CDC or his or her immediate family members owns a dairy farm, invests in businesses related to milk production, milk processing, or food processing, or is considering such ownership or investments, those assets must be disclosed using the CDC Conflict of Interest Disclosure form.

### **Outside employment or activities**

Employees may engage in employment outside the public service and take part in outside activities unless the employment or activities are likely to give rise to a real, apparent or potential conflict of interest or would undermine the impartiality of the public service or the objectivity of the employee.

Employees at the CDC are required to provide a report to the CEO when their outside employment or activities might subject them to demands incompatible with their official duties, or cast doubt on their ability to perform their duties or responsibilities in a completely objective manner. The CEO may require that the outside activities be modified or terminated if it is determined that a real, apparent or potential conflict of interest exists.

Employees who receive a benefit or income either directly or indirectly from a contract with the Government of Canada are required to report to the CEO on such contractual or other arrangements. The CEO will determine whether the arrangement presents a real, apparent or potential conflict of interest, and may require that the contract be modified or terminated.

### *CDC-related outside employment or activities*

If a CDC employee participates in, or is considering participation in, any of the following activities, those activities must be disclosed using the CDC Conflict of Interest Disclosure form:

- carrying out dairy farming activities as a hobby or for commercial farming purposes, including activities of the employee or his or her immediate family members; or
- applying for or receiving benefits under any grant, contribution, or any other program administered by the CDC, whether as an individual or as part of an organization that applies for or receives benefits.

At no time should an employee at the CDC assist the public on a fee-for-service basis in completing application forms for funding from a program administered by the CDC.

If an employee at the CDC, as an outside activity, is a member of a board of directors of a corporation, society, organization or external entity that lobbies, has dealings with the CDC, or is related to the employee's official duties or CDC activities, such activities must be disclosed using the CDC Conflict of Interest Disclosure form.

### *Political Activities*

Any employee considering involvement in political activity should seek the advice of their manager, a designated departmental official, the CEO, the Public Service Commission (PSC) or a human resources advisor before acting.

Employees are required to seek and obtain permission from the PSC to seek nomination for or be a candidate in a federal, provincial, territorial or municipal election, in accordance with Part 7 of the *Public Service Employment Act* (PSEA).

Any employee who is subject to this Code but who is not subject to Part 7 of the PSEA, who wishes to engage in any political activity that could constitute a conflict of interest, is to report the proposed activity to the CEO. This includes casual and part-time workers, as well as all CDC employees.

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

Any employee who wishes to engage in a political activity not covered by Part 7 of the PSEA that could constitute a conflict of interest is required to report the proposed activity to the CEO.

### **Gifts, hospitality and other benefits**

Employees are expected to use their best judgment to avoid situations of real, apparent or potential conflict of interest by considering the following criteria on gifts, hospitality and other benefits and in keeping with the full context of this Code, which includes the obligations of the *Values and Ethics Code for the Public Sector* and the Treasury Board *Policy on Conflict of Interest and Post-Employment*.

Employees are not to accept any gifts, hospitality or other benefits that may have a real, apparent or potential influence on their objectivity in carrying out their official duties and responsibilities or that may place them under obligation to the donor. This includes

activities such as free or discounted admission to sporting and cultural events, travel or conferences.

The acceptance of gifts, hospitality and other benefits is permissible if they are infrequent and of minimal value, within the normal standards of courtesy or protocol, arise out of activities or events related to the official duties of the employee concerned, and do not compromise or appear to compromise the integrity of the employee concerned or of the CDC.

Employees are to seek written direction from the CEO where it is impossible to decline gifts, hospitality or other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to the CDC to warrant acceptance of certain types of hospitality.

#### *Offers of funded travel from a third party*

Employees at the CDC may collaborate with various stakeholders while carrying out CDC's mandate, and may receive offers from stakeholders to pay costs related to travel by employees at the CDC. Accepting such an offer could compromise the impartiality and objectivity of the public service, or create a perception of preferential treatment towards the donor in future decisions.

Travel costs refunded to the CDC by virtue of a federal-provincial agreement or of a service contract (eg. audits), or to attend or participate in international meetings as approved in advance by the CEO, are acceptable under this Code.

If a third party offers to pay or reimburse the costs related to travel by an employee at the CDC, the employee must discuss the offer with the CEO and obtain his/her approval before accepting. Except as noted above, the CEO will automatically reject funded travel offers made to him or his staff if:

- the offer is not in the interest of the CDC or the Government of Canada;
- the offer of funded travel was solicited;
- the offer was made to an employee in an executive (EX) position, or a position that has delegated financial authority;
- the third party is a current supplier to the CDC, other than one with a formal agreement with the CDC with an explicit provision for funded travel;
- the third party actively lobbies the CDC; or
- the third party receives grants or contributions<sup>6</sup> from the CDC, unless there is a cost-sharing agreement that exists between the CDC and the organization.

#### **Solicitation**

With the exception of fundraising for such officially supported activities as the Government of Canada Workplace Charitable Campaign (GCWCC), CDC employees may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector who has dealings with the government, or with the CDC.

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<sup>6</sup> 'Grant' and 'contribution' here have the same meaning as in the Treasury Board *Policy on Transfer Payments*.

When fundraising for such official activities, employees should ensure that they have prior written authorization from the CEO in order to solicit donations, prizes or contributions in kind from external organizations or individuals.

Similarly, if an outside individual or entity, with whom the CDC has past, present or potential official dealings, offers a benefit to the CDC such as funding for an event or a donation of equipment, CDC employees are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing of the CEO prior to accepting any such benefit.

The CEO may require that the activities be modified or terminated where it is determined that there is a real, potential or apparent conflict of interest or an obligation to the donor. These provisions are designed to ensure that this Code is consistent with paragraph 121(1) (c) of the *Criminal Code*.

### **Avoidance of preferential treatment**

Employees are responsible for demonstrating objectivity and impartiality in the exercise of their duties and in their decision-making, whether related to staffing, financial awards or penalties to external parties, transfer payments, program operations or any other exercise of responsibility.

This means that they are prohibited from granting preferential treatment or advantages to family, friends or any other person or entity. They are not to offer extraordinary assistance to any entity or persons already dealing with the government without the knowledge and support of their supervisor. They also are not to disadvantage any entity or persons dealing with the government because of personal antagonism or bias.

Providing information that is publicly accessible is not considered preferential treatment.

### **Preventing Post-Employment Conflict of Interest Before and After Leaving Employment**

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All employees have a responsibility to minimize the possibility of real, apparent or potential conflict of interest between their most recent responsibilities within the federal public service and their subsequent employment outside the public service.

#### **Before leaving employment**

Before leaving their employment with the public service, all employees are to disclose their intentions regarding any future outside employment or activities that may pose a risk of real, apparent or potential conflict of interest with their current responsibilities and discuss potential conflicts with their manager or the CEO.

#### **Post-employment limitation period for employees in designated positions**

The CEO is responsible for designating positions of risk for post-employment conflict of interest situations as per section 6.1.2 (f)(i) of the TBS *Policy on Conflict of Interest and Post Employment*.

Employees at the CDC in these designated positions are subject to a one-year limitation period after leaving employment. Before leaving employment and during this one-year limitation period, these employees are to report to the CEO all firm offers of employment or proposed activity outside the public service that could place them in a real, apparent or potential conflict of interest with their public service employment. They are to also disclose

immediately the acceptance of any such offer. The CDC Conflict of Interest Disclosure Form (Appendix 1) may be used for this purpose.

In addition, these employees may not, during this one-year period, without the authorization of the CEO:

- a) accept appointment to a board of directors of, or employment with, private entities with which they had significant official dealings during the period of one year immediately prior to the termination of their service. The official dealings in question may either be directly on the part of the employee or through their subordinates;
- b) make representations to any government organization on behalf of persons or entities outside of the public service with which they had significant official dealings, during the period of one year immediately prior to the termination of their service.<sup>7</sup> The official dealings in question may either be directly on the part of the employee or through their subordinates; or
- c) give advice to their clients or employer using information that is not publicly available concerning the programs or policies of the departments or organizations with which they were employed or with which they had a direct and substantial relationship.

#### **Waiver or reduction of limitation period**

An employee or former employee may apply to the CEO for a written waiver or reduction of the limitation period. The employee is to provide sufficient information to assist in making a determination as to whether to grant the waiver taking into consideration the following criteria:

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

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<sup>7</sup> The CEO and Commissioners are subject to the Lobbying Act. In the case of any conflict between this Code and the Act, the Act takes precedence.

## Resolution

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With respect to the arrangements necessary to prevent real, apparent or potential conflict of interest, or to comply with the requirements set out above, it is expected that situations will be resolved through discussion and agreement between the employee and the CEO. When an employee and the CEO disagree on the appropriate arrangements to resolve a real, apparent or potential conflict of interest, the disagreement will be resolved through the established grievance procedures.

## Consequences

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

## Part III: Disclosure of Wrongdoing

If you are aware of a possible breach of this Code, you may contact your immediate supervisor or the Public Sector Integrity Commissioner, at 1-866-941-6400 or <http://psic.gc.ca/>. Employees who disclose possible wrongdoing in this manner are protected from reprisal under the *Public Servants Disclosure Protection Act*.

## Part IV: For More Information

## Contacts

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CDC employees who wish to discuss any part of this Code are encouraged to do so with their immediate supervisor or the CEO.

For guidance in situations of workplace conflict, including alternative dispute resolution services, please contact Integrated Resolution Services, (866) 657-1834 or [resolution@agr.gc.ca](mailto:resolution@agr.gc.ca).

## References

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*Values and Ethics Code for the Public Sector* (<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25049>)

*Policy on Conflict of Interest and Post-Employment* (<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25178&section=text>)

*Policy on the Prevention and Resolution of Harassment in the Workplace* (<http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12414&section=text>)

*Public Servants Disclosure Protection Act* (<http://laws-lois.justice.gc.ca/eng/acts/P-31.9/>)

CDC Conflict of Interest disclosure form (hyperlink to CDC intranet)



### Conflict of Interest Disclosure Form

Using this form, employees at the CDC must report, within 60 days of their first appointment, transfer or deployment, all assets and liabilities, as well as outside activities that might give rise to a conflict of interest with respect to their official duties. This form should also be used to report any real, apparent or potential conflict of interest. Whenever there is a significant change in the personal affairs or official duties of the employee, he or she must review their obligations under the *Code of ethics of the CDC*, and determine whether a conflict of interest disclosure should be made.

At any point, you may contact your immediate supervisor or the CEO of the CDC for guidance.

#### Nil Disclosure

Making a nil disclosure means you have considered any real, apparent or potential conflicts of interest between your private affairs and the duties and responsibilities of your current position with the Commission and you have nothing to disclose.

#### Assets and Liabilities

The following is a list of examples of assets and liabilities that must be disclosed using this form if they do, or could, constitute a real, apparent or potential conflict of interest, for example, by being related to the CDC's operations or the employee's official duties. This list is not exhaustive:

- publicly traded securities of corporations and foreign governments, and self-administered Registered Retirement Savings Plans (RRSPs), and self-administered Registered Education Savings Plans (RESPs) that are composed of these securities, where these securities are held directly and not through units in mutual funds;
- 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;
- commercially operated farm businesses;
- the personal ownership, or immediate family ownership (including immediate family of the employee's spouse) of a dairy farm, whether as a hobby or commercially operated business;
- real property that is not for the private use of employees or their family members; commodities, futures and foreign currencies held or traded for speculative purposes;
- assets placed in trust or resulting from an estate of which the employee is a beneficiary;
- secured or unsecured loans granted to persons other than to members of the employee's immediate family;
- any other assets or liabilities that could give rise to a real, apparent or potential conflict of interest due to the particular nature of the employee's official duties; and
- direct and contingent liabilities in respect of any of the assets described in this section.

#### Outside Activities or Employment

Employees at the CDC must disclose any outside activities that might be incompatible with their current official duties, or cast doubt on their ability to perform their official duties in an objective and impartial manner, including:

- any dairy farming activities, as a hobby or for commercial farming purposes, including the employee's personal activities or any activities of his or her immediate family members (including immediate family of his or her spouse);
- any applications for or the receipt of benefits under any grant, contribution, or any other program administered by the CDC, whether as an individual or as part of an organization that applies for or receives benefits;
- any membership on a Board of Directors as an outside activity, that is related to milk production or processing, or to food manufacturing; and
- any other outside activity or employment situation (including any offer or acceptance of employment to begin after leaving the public service) that could give rise to a real, apparent or potential conflict of interest due to the particular nature of the CDC or the employee's official duties.

Employees at the CDC must disclose any matter that could give rise to a conflict of interest, even if it does not clearly fit one of the other descriptions above. Such disclosures may include those related to:

- conflict of duties;
- conflict of interest of a friend or family member;
- post-employment opportunities, including all firm offers of employment, and acceptance of employment; and
- acceptance of a gift as part of his or her official duties.