



## CODE OF CONDUCT

This document is the code of conduct ("Code") of the Appeals Commission for Alberta Workers' Compensation ("Commission"). It applies to all Commission program areas, appeals commissioners ("members"), including the Chief Appeals Commissioner, and all employees, including temporary employees.

The purpose of this Code is to establish rules governing the conduct of our members and employees and to ensure transparency and accountability in how the Commission carries out its public mandate. The key take away from this Code is to follow the principles it establishes, use common sense and, when in doubt, ask your Code Administrator for guidance.

All members and employees of the Commission must agree in writing to follow the Code.

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Dale P. Wispinski  
Chief Appeals Commissioner & CEO

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September 9, 2021

Date

## **PART 1: CODE OF CONDUCT**

Members and employees are expected to follow this Code. The Code is committed to the Commission's values and guides ethical conduct. By doing so, the Code supports the integrity and reputation of the Commission. It is important to understand the Code does not cover all situations; as such, members and employees agree to use its principles, values, and meaning to guide their behaviour.

This Code is available to the public on the Commission website. The Ethics Commissioner reviewed and approved the Code to ensure it follows the requirements of the *Conflicts of Interest Act*, RSA 2000, c C-23 and regulations.

Employees are Government of Alberta employees and must follow the Code of Conduct and Ethics for the Public Service. Employees must also follow the principles and values of this Code while working for the Commission. Conflicts between the Code of Conduct and Ethics for the Public Service and this Code will be resolved by using the highest standard of conduct for either code.

This Code is managed by the Code Administrator. The Code Administrator for each member or employee of the Commission is as follows:

- the Ethics Commissioner for the Chief Appeals Commissioner
- the Chief Appeals Commissioner for members
- the employee's supervisor for employees

A supervisor may refer any issue or situation covered by this Code to the Chief Appeals Commissioner. The Chief Appeals Commissioner may refer any issue or situation covered by this Code to the Ethics Commissioner.

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Authorized by: Dale P. Wispinski  
Chief Appeals Commissioner & CEO

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## **A. The Commission's Values**

### **Respect**

We understand that every client and every appeal is different, and every client needs to be heard with an open mind.

We are committed to a culture that is collegial and professional, and a workplace that is free of harassment, violence and discrimination.

### **Service**

We provide professional and friendly assistance along with accessible resources to help our clients navigate the appeal process.

We support each other professionally and personally, and we aim to create a healthy, inclusive workplace that recognizes excellence and encourages development.

### **Integrity**

In all our interactions with clients and stakeholders, we aim to be impartial, diligent and ethical.

We demonstrate our values to our clients and stakeholders, and to our colleagues, by being consistent in our words and deeds, taking ownership, and seeking out learning opportunities.

### **Accountability**

We are answerable to our clients and stakeholders for the efficiency of our processes, the clarity and timeliness of our decisions, the effectiveness of our communications, and the responsible use of our resources.

We recognize that we are all part of a larger process, and that in striving for excellence and serving our clients we all make contributions and are answerable to each other.

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## B. Guiding Principles

These principles guide the behaviour and decisions of members and employees:

- a. Members and employees show that their actions and decisions are ethical, impartial, independent, and follow the Commission's core values. This means that members and employees treat everyone the same.
- b. The actions and decisions of members and employees support the goals of the Commission.
- c. Members and employees must put the interests of the Commission before their own and must not act in self-interest or further their or others' private interests using their position or when carrying out of their duties.
- d. Members and employees have the same rights as Albertans, unless a restriction is needed to protect the public interest.
- e. The Code applies to all members and employees in full, unless written permission is given by the Code Administrator.
- f. Members and employees must tell the Code Administrator about any real or apparent conflicts of interest in writing as soon as possible.
- g. Members and employees understand that telling the Code Administrator about a real or apparent conflict of interest does not remove it.
- h. Members and employees encourage colleagues to act fairly and ethically, and know that they can talk about potential breaches by others to the Code Administrator without fear of reprisal.
- i. Members and employees know if they breach this Code, their appointment or employment at the Commission may end.
- j. If they have any questions about this Code, members and employees should talk to the Code Administrator.
- k. After appointment, reappointment, or promotion all members and employees must commit in writing to understand and follow the Code.

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## C. Behavioural Standards

Behavioural standards help members and employees make the right decisions. Behavioural standards cannot cover all situations but do support day-to-day decisions. Members and employees follow these standards.

They must:

- a. Not take part in any criminal activity and follow all laws.
- b. Follow, support and not obstruct or passively resist Commission policies, rules, guidelines and other quality or performance standards.
- c. Contribute to a safe, healthy and productive workplace in and out of the office, including online. This means following the rules and acting without discrimination, harassment, or violence.
- d. Not use drugs or alcohol in a way that affects their job and the safety of others or themselves, or the Commission's reputation.
- e. Not talk to the media about the Commission or the Workers' Compensation Board, or publicly share any personal opinions about either organization without talking to the Code Administrator first. Members and employees must talk to the Code Administrator about any media requests.
- f. Protect the privacy of the individuals the Commission serves. Members and employees must not share or talk about others' personal information, including online.
- g. Avoid situations where there is a real or apparent conflict between their interests and the interests of the Commission. This means that members and employees must not act in the interests of themselves, their families, their colleagues, or others by using their position or influence at the Commission.

The following requirements apply:

### 1. Confidential Information

Members and employees must respect and protect confidential information. They must use it only for the work specific to their position and responsibilities at the Commission and never for personal reasons or advantage. Members and employees must follow the *Freedom of Information and Protection of Privacy Act*, RSA 2000, c F-25.

Confidential information includes personal information and information about the Commission.

Members and employees must follow the Commission's confidentiality and privacy policies.

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## 2. Gifts from Third Parties and Events

Members and employees must not accept or receive gifts other than the normal exchange of gifts between friends or business colleagues or the normal presentation of gifts to people participating in public functions. Members and employees must not accept invitations to events that may create a real or apparent conflict of interest.

Anything that a member or employee is given from a third party, without written permission from the Code Administrator, must not be more than:

- \$100 in gifts;
- \$400 in invitations to events related to the work of the Commission, including payment or reimbursement of event fees and travel costs for attending;
- \$1000 in invitations to conferences related to the work of the Commission, including payment or reimbursement of conference fees and travel costs for attending.

Total amounts for a single calendar year must not be more than:

- \$200 in gifts;
- \$400 in events; and
- \$1500 in conferences.

## 3. External Activities

Members and employees must not participate in external activities that conflict or could appear to conflict with the interests and work of the Commission. For example:

- a. Business Interests: members and employees must not be involved in business interests that could benefit from or influence the decisions of the Commission.
- b. Concurrent Employment or Appointments: members and employees must not accept a job or appointment that may conflict or appear to conflict with their work at the Commission. Members and employees must disclose concurrent jobs or appointments to the Code Administrator. The Code Administrator must review and approve any concurrent jobs or appointments in writing in accordance with the Code.
- c. Political Activity: members and employees can participate in political activities, including membership in a political party, supporting a candidate running for elected office, or running for elected office. They must not raise money for a political party.

Any political activity must be separate from the Commission. These activities cannot be done while at work or using the Commission's resources.

- d. Volunteer Activity: volunteer work must not influence or conflict with the work or impartiality of a member or employee.

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If there is any question whether an activity, interest, job or appointment creates a real or apparent conflict of interest, the Code Administrator will investigate and report to the member or employee in writing. If the report finds there is a real or apparent conflict, the Code Administrator's report will include steps the member or employee must take to manage the conflict. The conflict must be managed as instructed by the Code Administrator, including giving up the activity, interest, job or appointment.

#### **4. Before Members or Employees Leave the Commission**

Members or employees applying for a new position or appointment elsewhere must know about and manage any conflicts of interest. They must remove themselves from any decisions affecting their new position or appointment.

#### **5. After Members or Employees Leave the Commission**

After a member or employee leaves the Commission, the member or employee must not give out confidential information, including information about the Commission, and must not use contacts with former clients and colleagues to their personal advantage.

To avoid conflict, former members and employees cannot be representatives or give advice to others appearing before the Commission for 12 months after leaving the Commission. Members and employees may request a waiver or reduction of the 12-month time period in writing from the Chief Appeals Commissioner.

#### **6. Use of Commission Property**

Members and employees may have limited personal use of the Commission's property and equipment if it:

- involves little expense
- happens outside of work hours
- does not support a personal or private business

#### **7. Direct Relationships**

Members and employees must avoid dealing with individuals with whom they have a direct relationship when conducting the work for the Commission (e.g. spouse, relative).

### **D. Obligations of the Chief Appeals Commissioner**

The Chief Appeals Commissioner is designated as a senior official and designated senior official by Order in Council 085/2018. The Chief Appeals Commissioner must follow all disclosure and return reporting requirements, post-employment and other restrictions, and the timelines set out for senior officials and designated senior officials under the *Conflicts of Interest Act*, RSA 2000, c C-23 and regulations.

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For additional clarity, the designations mean the Chief Appeals Commissioner:

### 1. Restrictions on Office and Powers

- Must fully disclose all real or apparent conflicts of interest to the Code Administrator
- Must not take part in a decision, use their office or powers to influence a decision, or communicate information not available to the general public gained through their office or powers, to further their private interests, their family's private interests, or the private interests of any other person
- Must not hold any other job or appointment unless approved in writing by the Code Administrator

### 2. Financial and Disclosure Requirements

- Must not hold publicly-traded securities unless:
  - Held in a financial arrangement (e.g. blind trust) approved by the Code Administrator
  - An approval or exemption has been provided in writing by the Code Administrator
- Must file a personal disclosure statement and returns for persons directly associated (e.g. spouse) as required by the Code Administrator
- Must file an updated disclosure or return within 30 days of any changes to the previous disclosure or returns
- Must file a return within 30 days if no longer designated as a designated senior official

### 3. Post-Employment Restrictions

For a period of 12 months after the last day the Chief Appeals Commissioner was considered a designated senior official, they must not:

- Lobby any public office holder
- Act on a commercial basis or make representations on any matter they were directly involved in relating to a government department or public agency
- Request or accept a contract or benefit from any department or public agency with which they had a direct and significant official dealing
- Accept employment or an appointment with an individual, organization or board of directors, with which they had a direct and significant official dealing,

unless a waiver or reduction of the 12-month time period has been approved in writing by the Code Administrator.

## E. **Code-Related Administrative Processes**

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Administrative processes help members and employees manage ethical problems, including any conflicts of interest.

The following requirements apply:

**1. Administration**

The Code Administrator ensures that any real or apparent conflicts of interest are avoided or managed. The Code Administrator gives advice and manages all concerns about breaches of the Code related to the Commission.

**2. Ongoing Disclosure of Relationships and Conflicts**

Members and employees must provide a written statement to the Code Administrator if existing business, employment, and personal relationships could affect their work at the Commission. When there is a change that may affect their work at the Commission in business, employment, and personal relationships, including any of the External Activities noted above, the change must be made in writing to the Code Administrator as soon as possible. If a conflict of interest cannot be avoided, members and employees must manage the conflict in cooperation with the Code Administrator.

Members and employees must tell the Code Administrator in writing about any real or apparent conflicts of interest so that the Code Administrator knows about anything that could influence the work of the Commission. Any concurrent job or appointment disclosed must be reviewed for real or apparent conflicts of interest and approved in writing by the Code Administrator.

Where any conflict is identified, a member or employee will be given a copy of the Code Administrator's findings in writing and the chance to manage the conflict, which includes:

- removing themselves from the conflict
- giving up the interest or position causing the conflict
- leaving the Commission (this is rare)

**3. Reporting a Potential Breach**

Members and employees are encouraged to tell the Code Administrator in writing about any real or apparent breach of this Code.

**4. Responding to Potential Breach**

If a real or apparent breach is reported, the Code Administrator will tell the member or employee in writing. The identity of the member or employee who reported the breach will be kept confidential, unless required by law. The Code Administrator will investigate the matter, make a decision and complete a written report.

The written report may have facts about the breach found by the Code Administrator. The Code Administrator will decide whether or not the member or employee under investigation has

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breached the Code. The Code Administrator's report will also decide what type of breach it is and give any related recommendation or action. The written report will be given to the member or employee under investigation and any other persons involved. The member or employee can request all information related to the breach and has the right to respond to the report.

**5. Consequences of a Breach**

Members or employees who have breached the standards of behaviour in this Code may be disciplined, up to and including termination.

**6. Review of a Decision**

Members or employees can ask in writing for the Ethics Commissioner to review a decision made by the Code Administrator about a breach of this Code.

**F. Other Resources**

**1. Where to Get Advice**

A member or employee who needs help deciding whether or not there is a real or apparent conflict of interest can ask the Code Administrator for guidance.

**2. Questions to Consider**

When members or employees have concerns with a situation, these questions may help them decide what to do:

- Have I asked the Code Administrator about whether or not I am following this Code's values, principles, or behavioural standards?
- Have I considered the issue from a legal perspective?
- Have I thought about whether or not my behaviour follows a policy or procedure of the Commission?
- Do my personal interests or relationships affect my thinking?
- Could my decisions or actions be seen as a way for me to gain something?
- Could my decisions or actions be seen as giving or getting special treatment?

**G. Affirmation**

The Code of Conduct for the Appeals Commission for the Alberta Workers' Compensation is effective March 1, 2019 and is reviewed at least every 36 months by the Commission to keep it relevant and up to date.

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Any changes to this document are reviewed and approved by the Ethics Commissioner. Once approved, changes to the Code will be made public for 90 days before becoming effective.

\_\_\_\_\_  
**Employee/Member Signature**

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Date**

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