



ERCB Conflict of Interest Policy and Procedures

Revised August 2010

**Part 1: ERCB Conflict of Interest Policy and
Procedures**

**Part 2: Guide to ERCB Conflict of Interest
Policy and Procedures**

**Appendix: Form HR-43A Employee
Certification and Financial Disclosure
Summary**

ENERGY RESOURCES CONSERVATION BOARD
ERCB Conflict of Interest Policy and Procedures

Revised August 2010

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Part 1

ERCB Conflict of Interest Policy and Procedures

Revised August 2010

1 Introduction (07 05 07)

Albertans and the industries under the jurisdiction of the Energy Resources Conservation Board (ERCB) have a right to fairness, transparency, competence, and quality service from the ERCB. This special obligation demands that there not be or be perceived to be any conflict of interest between the private interests of ERCB employees and their responsibilities as employees. For the purposes of the *ERCB Conflict of Interest Policy and Procedures* (Conflict Policy), “conflict of interest” or “conflict” is defined as a situation or circumstance that places, or may be perceived by others as placing, an employee in a position where his or her personal interests may influence his or her decisions or actions as an ERCB employee. Examples include situations where

- an employee’s private or personal interests influence or appear to influence the impartial, objective performance of the employee’s ERCB duties,
- an employee’s private or personal interests are or appear to be in direct or perceived conflict with the employee’s official duties and responsibilities to the ERCB, or
- an employee gains or appears to gain an advantage (for him/herself or others) by virtue of his or her duties as an ERCB employee.

At the same time, employees should be treated fairly under the Conflict Policy and all restrictions should be essential for maintaining public interest and confidence in the ERCB as a fair, impartial regulator. The provisions of the Conflict Policy have been designed to protect both the ERCB and its employees.

All questions, comments, or concerns about this Conflict Policy should be directed to the Members of the Ethics Committee.

For descriptions and examples of how the Conflict Policy applies in hypothetical situations, please refer to Part 2: Guide to *ERCB Conflict of Interest Policy and Procedures*.

The ERCB is subject to the *Freedom of Information and Protection of Privacy Act* in relation to the use and disclosure of any information provided by an employee under the Conflict Policy.

2 Definitions (07 05 07)

For purposes of this Conflict of Interest Policy and Procedures, unless the context otherwise requires,

Board Member means an individual appointed as an ERCB Board Member pursuant to an Order in Council and includes the ERCB Chair, but does not include External Acting Board Members.

Conflict Policy means this *Conflict of Interest Policy and Procedures*, as amended from time to time.

Employee includes any individual employed under the *Energy Resources Conservation Act* except Board Members.

Ethics Committee consists of:

- General Counsel (Chairman of the Ethics Committee)

- Manager, Human Resources (Member)
- Chief Financial Officer (Member)
- Board Secretary (Member)
- An Administrative Assistant from Human Resources as designated from time to time (Secretary to the Ethics Committee)

ERCB premises and equipment includes office space, telephone, computing services, e-mail, Internet, photocopiers, and supplies.

Minimal additional expense means that an employee's personal use of ERCB premises and equipment is limited to those situations in which the ERCB is already providing premises or equipment. The employee's use of such premises or equipment would not result in any additional expense to the ERCB, only normal wear and tear or the use of small amounts of electricity, ink, toner, or paper. Examples include making a few photocopies, using a computer printer to print out a few pages of material, making occasional brief personal phone calls, infrequently sending personal e-mail messages, and limited use of the Internet for personal reasons.

Minor child refers to a child under the age of majority (18 years old).

The **private interest** of an employee does not include an interest

- in a matter that is of general application,
- that affects a person as one of a broad class of the public,
- that affects the compensation or benefits of an employee, or
- that is trivial.

Relative includes spouse, children, stepchildren, legal dependents, parents, siblings, in-laws, grandparents, grandchildren, nieces, nephews, aunts, uncles, and first cousins.

Spouse includes two people who are living together on a bona fide domestic basis, including individuals in a common-law relationship. The term does not include a spouse who is living apart from the employee if the employee and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order.

Supervise means to directly supervise or exercise influence over the assignment of duties, performance evaluation, or related responsibilities of an employee.

3 Application (01 09 04)

General

This Conflict Policy applies to all employees. The Chairman of the ERCB or designate has the authority in exceptional circumstances to exempt an employee from application of all or parts of the Conflict Policy.

This Conflict Policy is in addition to any statute pertaining to the actions of employees and to any instructions issued by the Government to the Chairman of the ERCB or Board Members.

Conflicts between the private interests of employees and their responsibilities to the public not specifically addressed in this Conflict Policy must be dealt with according to the principles and intent of the Conflict Policy.

4 Administration of the Conflict Policy (07 05 07)

4.1 ERCB Chairman's Responsibility

The Chairman of the ERCB, as the sole sponsor of the Conflict Policy, will designate an Ethics Committee to administer the Conflict Policy. The Chairman of the ERCB will appoint a Chairman of the Ethics Committee.

4.2 Applicability to Board Members

Except where noted otherwise, the Conflict Policy applies to ERCB Board Members. In addition, they must meet the requirements of the Ethics Commissioner for the Province of Alberta and all other applicable legislation.

4.3 Ethics Committee Responsibilities

The Ethics Committee is responsible for ensuring the Conflict Policy is maintained and administered in a fair and consistent manner. The Ethics Committee will provide the Chairman of the ERCB with an annual update on compliance with the Conflict Policy. As well, the Ethics Committee will ensure that all allegations and claims against employees who are in breach of the Conflict Policy will be reviewed by a qualified, fair, and impartial individual (i.e., a member of the Committee or someone designated by the Committee) who will investigate the allegation or claim and submit a recommendation to the Committee who will then render a decision. The Chairman of the Ethics Committee reviews the disclosures of the Ethics Committee members. The Chairman of the ERCB reviews the disclosures of the Ethics Committee Chairman. The Ethics Commissioner of the Legislative Assembly reviews the disclosures of ERCB Board Members.

The Ethics Committee:

- administers the Conflict Policy for the ERCB and issues instructions as necessary for implementation of the Conflict Policy ;
- may issue supplementary instructions that modify but do not detract from matters dealt with in this Conflict Policy, provided that the supplemental instructions are not more permissive than this Conflict Policy; and
- promotes the Conflict Policy and any supplemental Conflict Policy on a regular basis to ensure that employees are aware of their obligations.

5 Employee Responsibilities (07 05 07)

5.1 Impartiality and Disclosure of Conflicts

Employees must conduct their duties with impartiality at all times. Real and perceived conflicts of interest generally arise from a financial interest or relationship to an entity or employee of an entity regulated by the ERCB. It is critical that employees, Board Members, and Acting Board Members disclose all real or perceived conflicts of interest between their ERCB-related duties and their personal interests and/or relationships.

Further, these parties also have a responsibility to avoid real and perceived conflicts of interest and to take all steps necessary to remove themselves from any conflict.

Generally speaking, employees are subject to two types of conflicts: conflicts arising from financial interests and conflicts arising from relationships. Specifically, employees will generally be considered to be in a conflict of interest if they or their spouse or minor child

- i) has a direct or indirect financial interest in an entity regulated by the ERCB, or
- ii) is a relative¹ of a person employed by or on the Board of Directors of any entity regulated by the ERCB (e.g., employee, director, senior officer, etc.) or any entity or person who participates in ERCB processes and proceedings (e.g., landowners, stakeholder groups, etc.) or with whom the ERCB has a business relationship (e.g., software vendors, recruiting firms, landlords, etc.)

The above types of conflict are not exhaustive. A conflict may also exist where an employee has a close personal friendship with or is in a serious romantic relationship with a person employed by an entity regulated by the ERCB or with whom the ERCB has a business relationship. Whether or not a real or perceived conflict exists is fact specific and depends on the circumstances of each case. If an employee is in doubt, he or she should disclose the matter to and discuss it with his or her Manager or Executive Manager and seek direction as to how the situation should be managed. **Disclosure is the key and helps to protect both the ERCB and the employee. If the employee does not disclose the real or potential conflict, it cannot be addressed and/or managed.**

Section 12 requires disclosure of financial interests at the time of commencement of employment with the ERCB and on an annual basis thereafter. Employees must also disclose any relationships noted in item (ii) above to their Manager or Executive Manager as soon as they arise. This way, Managers and Executive Managers can take steps to ensure that the employee's involvement in files, hearings or other matters that involve the entity with whom the employee has a relationship can be avoided altogether or minimized.

Managers or Executive Managers are expected to take all steps necessary to manage and/or resolve any conflict that is brought to their attention. Managers or Executive Managers are strongly encouraged to seek guidance and direction from the Ethics Committee regarding the most appropriate way to manage and/or resolve any real or perceived conflict of interest disclosed to them by an employee.

As a general rule, employees must disqualify themselves from any application, proceeding, file, inspection, or other matter involving an entity in which they, their spouse, or their minor child has a financial interest or with which they have a relationship that may bring, or be perceived to bring, their impartiality into question.

In some situations, following disclosure by the employee, the employee's Manager or Executive Manager may determine that the employee's duties and responsibilities in relation to the file or matter do not conflict with his or her financial interests or relationship with a regulated entity. Alternatively, the employee's Manager or Executive Manager may adopt other methods to manage the real or perceived conflict (e.g.,

¹ See definition in section 1.

reviewing or having other employees review the employee's work and recommendations or ensuring the employee is not in a position to make or influence decisions on the file or matter).

Managers or Executive Managers must document their discussions with the employee, the decision made in relation to the real or perceived conflict, and the reasons for determining the course of action chosen.

In summary, the requirements applicable to employee disclosure of real or perceived conflicts are

- i) disclosure to the employee's Manager or Executive Manager,
- ii) avoidance of the conflict (or, if that is not possible, management and mitigation of the conflict), and
- iii) documentation of the disclosure and decision-making process in relation to the real or perceived conflict.

5.2 Disclosure of Criminal Convictions

An employee convicted of a criminal offence under the *Criminal Code* or any other legislation that imposes criminal offences (e.g., *Motor Vehicle Act*, *Controlled Drugs and Substances Act*, *Firearms Act*, etc.) arising from the employee's conduct while on or off duty must immediately report the conviction to the Manager, Human Resources, who will then determine the necessary course of action in the circumstances.

5.3 Furthering Private Interests

Employees may be in a conflict of interest and in violation of this Conflict Policy if they

- participate or are perceived to participate in a decision in the course of carrying out their duties knowing that the decision might further a private, personal, or financial interest of theirs or of a relative's;
- use their public role or are perceived to use their public role to influence or seek to influence an ERCB or government decision that could further a private interest of theirs or a of a relative's; or
- use or communicate information or are perceived to use or communicate information not available to the general public that was gained in the course of carrying out their duties to further or seek to further their own private interest or that of a relative.

5.4 Reporting Violations of the Conflict Policy

Employees should report violations of the Conflict Policy (including fraud) by other employees, Board Members, or senior management to their Manager, Executive Manager, or the Ethics Committee so that appropriate steps can be taken to address the issue.

No action will be taken by the ERCB against an individual for reporting violations under this part unless the complaint is made maliciously or without reasonable grounds. Whenever possible, the name of the employee reporting such information will be kept confidential and no documentation regarding the reporting will be placed on the reporting employee's personnel file.

6 Dealing with Others (01 09 04)

- Board Members and employees often exercise regulatory, inspection, enforcement, or other discretionary authority over others. When this occurs, they must disqualify themselves from activities with others if the relationship between them may bring their impartiality into question. In situations in which this would impair service delivery, employees must advise their Manager or Executive Manager of the details before exercising their authority, and employees must act in accordance with any instructions received. In emergency situations, employees must act impartially and notify their Manager or Executive Manager immediately after exercising their authority.
- In limited circumstances, the ERCB may permit relatives of an employee to work in the same group or branch provided that the Manager or Executive Manager takes all steps necessary to ensure that there is no opportunity to exercise favoritism and no conflict of interest exists for the employees involved. An employee may not supervise a relative.
- In the staff hiring and selection process, ERCB staff making the hiring decision must disqualify themselves where applicants include relatives or close personal friends if the continued participation of such staff could raise a question as to their impartiality. This also applies to recruiting casual, hourly staff or employees hired through special employment programs, such as the summer student program.
- Employees must disclose to the Ethics Committee all situations that may be or may appear to be conflicts of interest under this section, as far as these are known to them.

7 Respectful Workplace (01 09 04)

The ERCB is committed to providing a work environment where all individuals are treated with dignity and respect. The ERCB will not tolerate any discriminatory, harassing, bullying, threatening or violent behaviour by or against any employee or prospective employee, member of the public, or any other individual affiliated with the ERCB. Behaviour and/or situations that are contrary to a respectful workplace will be dealt with accordingly.

Employees must not discriminate against another employee or prospective employee or member of the public because of that person's race, colour, place of origin, ancestry, gender, age, marital status, religious beliefs (including native spirituality), mental and physical ability, source of income, family status, sexual orientation, or any other category covered under the Alberta Human Rights, Citizenship and Multiculturalism Act.

8 Outside Employment and Volunteer Activities (13 09 99)

- Subject to section 10, employees may take supplementary employment, including self-employment, and participate in volunteer activities while employed at the ERCB, including leaves of absence, unless such pursuits cause an actual or perceived conflict of interest (e.g., involvement in companies that the ERCB directly or indirectly regulates) or
 - are performed in such a way as to appear to be an official act or to represent an ERCB opinion or policy,
 - interfere through telephone calls, or otherwise, with regular duties, or

- involve the use of ERCB premises and equipment except as stated under the section called Limited Personal Use of ERCB Premises and Equipment.
- Prior to accepting any supplementary employment or participating in a voluntary activity where it appears or where they believe that a conflict of interest might arise, employees must notify their Manager or Executive Manager in writing about the nature of such supplementary employment or volunteer activity.
- Employees cannot accept additional compensation for duties performed in the course of their ERCB employment.
- Employees must not allow the performance of their official duties to be influenced by offers of future employment or the anticipation of offers of employment nor may they use their position or ERCB premises or equipment to solicit services as a private consultant.

9 Limited Personal Use of ERCB Premises and Equipment (13 09 99)

ERCB employees are permitted limited use of ERCB premises and equipment for non-ERCB-related purposes providing such use involves minimal additional expense to the ERCB, is performed on the employee's non-work time, does not interfere with the mission of the ERCB, does not support a personal business interests and complies with the Conflict Policy.

10 Teaching (01 09 04)

With the consent of their leader, employees may teach courses at public institutions during normal working hours. Generally, such activities are acceptable where

- arrangements can be made for the employee to perform all regular duties;
- if being paid for teaching, the employee is either teaching after normal ERCB work hours (e.g., night or extension courses) or is teaching during paid vacation or non-paid ERCB time (i.e., employees cannot perform paid teaching duties during paid ERCB work time unless they take vacation days to do so);
- the time commitment is reasonable in the circumstances. Generally speaking, the commitment should not exceed two days;
- the employee's absence does not cause hardship to the ERCB or any other employee;
- course preparation, marking and all other non-teaching activities relating to the course are performed on the employee's own time and without using any ERCB equipment or stationery; and
- no other conflict arises.

Occasionally teaching short courses or guiding short field trips as part of technical or professional memberships and conferences is also acceptable, provided the employee is not paid for such services and his or her Manager or Executive Manager has consented. Adjunct professor appointments at local post-secondary institutions are acceptable provided the employee does not receive remuneration or compensation for the appointment, the duties associated with the appointment do not interfere with the

employee's ERCB-related duties and responsibilities, and the employee does not hold or administer research funds granted to the department in which he or she is appointed.

If the employee's Manager or Executive Manager determines that the teaching duties may interfere with the employee's normal duties, they may prohibit an employee from teaching a course. Alternatively, the Manager or Executive Manager may require that the employee take unpaid leave or use vacation time to teach the course or courses and/or may impose other conditions on the approval (e.g., payment of all or any portion of the remuneration received by the employee to the ERCB or a registered charity).

11 Professional Associations (13 09 99)

When ERCB employees serve in a volunteer capacity with their respective professional associations, they may, on approval by their Manager or Executive Manager, make limited use of ERCB services, such as printing, graphics, and mailing.

12 Investments and Management of Assets (07 05 07)

12.1 Restrictions on Assets/Interests

Employees and Board Members, as well as their spouses and/or minor children, may not have any direct or indirect monetary or financial interest (including securities) in any entity regulated by the ERCB, including

- oil, gas, oil sands, coal, pipeline, or mineral energy properties in Alberta;
- any oilfield service company, mineral extraction or exploration company, or downstream energy or drilling service company operation in Alberta,;
- any phase of oil, gas, crude bitumen, coal, or mineral exploration regulated by the ERCB; and
- any other asset or interest designated from time to time as a Prohibited Asset under the Conflict Policy.

(referred to in the Conflict Policy as "Prohibited Assets")

The investment restrictions noted in this policy also apply to Prohibited Assets that are owned jointly by employees and Board Members with another party who is not subject to the Conflict Policy (e.g., a friend or sibling).

Employees and Board Members and their spouses and minor children who own or control Prohibited Assets must divest of those assets within two (2) years from the date on which their employment commences unless otherwise specified by the Ethics Committee. An exemption may apply if an employee's spouse owns or acquires stock options or other securities or other types of assets of or from his or her employer as part of his or her overall employment-related compensation. However, details regarding those assets or securities must be disclosed to the ERCB Ethics Committee.

During this two-year period, employees and Board Members must not deal with, adjudicate on, or have any direct or indirect involvement with any matters that pertain to entities in which they may hold or own Prohibited Assets. However, the two-year period does not apply to employees who terminate employment and then return to the ERCB to resume employment. Individuals returning within one year of their employment end date will be normally required to divest of all prohibited assets within 60 days from the date they resume employment.

All employees must complete the Employee Certification and Financial Disclosure Summary (Form HR-43A) (attached as an Appendix to the Conflict Policy) at the time they commence employment and annually thereafter.

Employees who own Prohibited Assets must disclose those assets in section 3 of the Form HR-43A. The Ethics Committee will then determine whether a conflict exists and what action, if any, should be taken.

The Ethics Committee uses established procedures to make decisions as they apply to individual circumstances. Persons who are subject to this policy must come into compliance with the policy by divesting of Prohibited Assets within the time period established by the Ethics Committee or employment action (ranging from removal or transfer of job duty to termination, if necessary) may be required. The disclosure form and decision will be retained with the employee's file.

Employees with possible conflicts of interest must notify their Manager or Executive Manager in accordance with sections 5 and 12. Disclosure to and discussions with the Ethics Committee is strongly encouraged in situations where an employee is uncertain as to whether a real or perceived conflict exists.

Breaches of the investment restrictions, divesting requirements and disclosure obligations outlined in this policy will be considered very seriously by the Ethics Committee. The consequences of non-compliance will be swift and severe and may result in immediate termination of employment.

12.2 Exempt Assets

The following types of assets/interests are not Prohibited Assets within the meaning of this policy and are not required to be disclosed:

- Assets and interests in partnerships, proprietorships, joint ventures, private issuers, family businesses, and directly owned shares in public issuers that do not do business with the ERCB or with entities that are not regulated by the ERCB;
- Real property that does not have energy or mineral rights included in the title or rental properties used or intended for use by employees or their families;
- Assets and interests intended for private use and that are not of a commercial character, such as
 - household goods and personal effects,
 - works of art, antiques, and collectibles,
 - automobiles and other personal means of transportation,
 - cash and deposits,
 - Canada Savings Bonds (and other security investments of fixed value issued/guaranteed by any level of government in Canada or government agencies),
 - assets or securities held in managed funds, including mutual funds, pension plans, investment funds, limited partnerships, dividend reinvestment plans, etc. provided such assets are managed by an independent third party and the employee or Board Member does not exercise any direct or indirect influence or control over the investment decisions made by the manager and/or the securities or assets purchased by the manager or held in the fund,

- guaranteed investment certificates and similar financial instruments, and
 - annuities and life insurance policies.
- Assets and interests that are not directly or indirectly related to the mission of the ERCB.

12.3 Specific Requirements for Board Members

In addition to complying with the Conflict Policy, Board Members must meet the requirements of the Ethics Commissioner for the Province of Alberta. This includes an annual re-certification to the Legislative Assembly of Alberta that discloses all financial assets and interests of Board Members, their spouses, and/or their minor children.

12.4 Specific Requirements for External Acting Board Members

External Acting Board Members are prohibited by the terms of their agreement with the ERCB from placing themselves in a conflict of interest situation. In particular, they are required to disqualify themselves from any proceeding involving an entity in which they have a financial interest or with which they have a relationship that may bring their impartiality into question.

13 Acceptance of Gifts (15 04 02)

Employees may not accept fees, gifts, or other benefits that are connected directly or indirectly with the performance of their ERCB duties from any individual, organization, or corporation, other than

- the normal exchange of hospitality between persons doing business together;
- tokens exchanged as part of protocol;
- the normal presentation of gifts to persons participating in public functions, awards, speeches, lectures, presentations, or seminars.

The above-mentioned gifts and hospitality should be of nominal or nil monetary value.

ERCB employees must not solicit gifts, hospitality, or other benefits from employees of companies regulated by the ERCB. Gifts, hospitality, or other benefits may be solicited from companies, other than those the ERCB regulates, for the purpose of club/team events providing that the principles of the Conflict Policy are adhered to.

14 Political Activity (01 09 04)

Employees are not restricted from participation in political activity, except that

- they must not participate directly in soliciting contributions;
- the section called “Outside Employment and Volunteer Activities” applies;
- Board Members may not seek nomination as a candidate in a federal, provincial, or municipal council (does not include School Board members) election or hold office in a political party or constituency association;
- employees who run as candidates in a federal, provincial, or municipal council (does not include School Board members) election must take a leave of absence without pay commencing on the day after the writ for the election is issued or on the day that

their candidacy is publicly announced, whichever is later—the restriction of soliciting contributions does not apply to such employees once the leave of absence starts;

- employees who are elected to federal, provincial, or municipal council (does not include School Board members) office must resign their employment effective the day of the federal or provincial election; and
- employees who seek election and are not elected are entitled to return to the same or similar employment effective the day after the election.

15 Statements (13 09 99)

For the purposes of this section, a statement is any verbal communication or written communication using paper or electronic media.

- Employees who speak or write publicly should be guided by the *ERCB Media Relations Guide (Internal Guide 23)*.
- Responsibility for maintaining the confidentiality of information or documents includes ensuring that such materials or information are not directly or indirectly made available to unauthorized persons. Employees must adhere to the requirements of the *Freedom of Information and Protection of Privacy Act*.
- Fraudulent, harassing, threatening, discriminatory, sexually explicit, or obscene messages and/or materials must not be stated, transmitted, printed, requested, or shared. (Refer to Section 21: Respectful Workplace in the *Personnel Policy Manual*.)
- Chain letters, solicitations, and other forms of mass mailings not related to ERCB business and authorized activities are not permitted.

16 Trade Knowledge, Intellectual Property, and Confidential Information (01 09 04)

- Any product or technology developed by employees in performing their job responsibilities with the ERCB is the property of the ERCB.
- An employee may not sell, trade, market, or distribute any such product or technology unless otherwise authorized by the Ethics Committee.
- Employees must respect the proprietary knowledge and intellectual property rights of customers, suppliers, and others.
- Employees must respect copyright and licence agreements.
- Employees must not sell, trade, market, distribute, or disclose information and data collected or retained by the ERCB that is confidential or not publicly available.
- Employees should refrain from providing non-confidential information and data to third parties if such information is available through Information Services. In those cases, employees should refer third parties to Information Services. This ensures proper tracking of information requests and the proper charging of fees where applicable.

17 Adherence to ERCB Policies (13 09 99)

Employees are responsible to know and adhere to ERCB policies. Leaders are responsible to know, comply with, communicate and enforce ERCB policies.

18 Post-Employment Restrictions (13 09 99)

At no time shall a former employee use or give to others confidential information obtained while employed at the ERCB.

The ERCB retains for itself all proprietary rights in and to all new intellectual property arising out of the services the employee provided while employed at the ERCB.

19 Review Process (13 09 99)

An employee may appeal a ruling of a conflict of interest to the Chairman of the ERCB. The appeal would be made to a neutral party appointed by the Chairman and mutually acceptable to both parties.

An employee may also apply to the Ethics Commissioner for a review of the Chairman's or a Board Member's conduct under the Public Service Conflict Policy or the ERCB Conflict Policy.

20 Penalties and Consequences (13 09 99)

Employees who fail to comply with any provisions of the Conflict Policy may be subject to disciplinary action, up to and including termination of their employment.

Part 2

Guide to *ERCB Conflict of Interest Policy and Procedures*

Revised August 2010

About This Guide

This guide provides further interpretation and clarification of the *ERCB Conflict of Interest Policy and Procedures* (Conflict Policy) and its implications for ERCB staff.

To use this guide effectively, you should read the actual Conflict Policy alongside with the explanations found in this guide of the Conflict Policy. The section numbering in this guide matches the numbering in the Conflict Policy.

1 Introduction

The Conflict Policy is based on the ERCB values of

- fairness,
- competence, and
- quality service.

The following principles are linked to these key values. These principles will assist you in assessing the ethical implications of your actions or proposals made to you.

The principles state that under the Conflict Policy, ERCB employees

- must not use their public role for private gain,
- must treat members of the public and one another fairly, and
- must be neutral in performing their duties.

You should feel free to discuss any matter you are unsure about or any actions or situations that you feel may breach the Conflict Policy with your Manager or Executive Manager, a Human Resources Manager, or the Ethics Committee. This cannot be emphasized enough: **Open and honest discussion greatly decreases the possibility of a breach of the Conflict Policy.**

Also note that it is recognized that some staff are legally bound to a Conflict Policy of Ethics under the Professional Societies Act. Both the ERCB Conflict Policy and the Professional Conflict Policy apply to these individuals, and no conflicts should exist between them. If you believe there is or could be a conflict, discuss this with your executive manager or manager.

What is a perceived conflict of interest?

A conflict of interest exists when your actions/situation may be reasonably perceived in such a way that questions your fairness or impartiality. ERCB employees are strongly advised to avoid all perceived conflicts of interest.

Example

- If two employees—a sister and brother—worked in the same group, and one managed the other. Although the manager may not treat the sibling any differently from the other employees, other people may perceive that such a conflict of interest exists.

2 Definitions

See Section 2 in the Conflict Policy.

3 Application

See Section 3 in the Conflict Policy.

4 Administration of the Conflict Policy

See Section 4 in the Conflict Policy.

5 Employee Responsibilities

All ERCB employees are expected to observe the guidelines regarding impartiality, disclosure, and furthering private interests.

Impartiality

Impartiality means you should not give or be perceived as giving preferential treatment in any official matter to individuals or organizations in which you have a personal interest and/or relationship.

Examples

- You approve a routine application for an organization at which a relative or friend is employed (though not in a position of influence), following the standard process and established criteria. In this case, no conflict of interest exists because you did not give preferential treatment.
- You work as an applications coordinator. Your close friend works for a company that has submitted an application for approval. He calls you to ask whether you can “expedite” the processing of the application as a favour to him because it will reflect very favourably on him at work if the application is approved right away. It would be a conflict of interest for you to expedite processing of the application, as that would be giving preferential treatment to your friend’s employer.
- You are assigned to assist in a hearing on an application. Before the hearing commences or during the hearing, you start a romantic relationship with an employee of the applicant who is scheduled to give evidence at the hearing on the applicant’s behalf. This would likely result in a conflict, as you may be perceived to be in a position to exert influence on the decision-makers.
- You are assigned to assist with an application for a licence for a pipeline that will be located in an area where there have been several previous failures of pipelines operated by the applicant. Prior to joining the ERCB, you worked for a company retained by the applicant to investigate the pipeline failures. This would likely be a conflict, as you may be perceived to have information from your previous position that may affect the applicant and/or the outcome of the application.
- You were assigned to assist in a hearing of an application and are now in the process of assisting in the drafting of the decision regarding the application following the hearing. You are invited to a Stampede function hosted by the applicant. Generally speaking, it is not advisable to attend a function hosted by an applicant during the

decision-making process. You should check with your Executive Manager before accepting the invitation.

Disclosure

It doesn't matter whether the conflict of interest is real or perceived, you must disclose it. You must also work with your Manager or Executive Manager to resolve the conflict or remove yourself altogether from the real or perceived conflict.

Furthering Private Interests

An employee's private interest is one that is unique to you, your spouse, or your minor child (any child under the age of majority)—as opposed to an interest that would apply to all ERCB employees or members of the general public.

A private interest could be

- a volunteer or paid job you have with an outside organization,
- a spouse's or minor child's volunteer or paid employment,
- a financial investment you have made, or
- any other matter concerning your personal finances.

A private interest does not include

- a program or benefit that applies to all Albertans,
- a matter that affects an ERCB employee as one of a broad public category,
- an interest that affects the compensation or benefits of an employee, if the matter is under review, or
- a trivial interest of very minor significance or nominal or no monetary value.

Examples

- You recommend your spouse's consulting firm to do some research work for AGS. If you are in a position of influence, you would be using your public role to attempt to influence an ERCB decision (e.g., awarding a contract), which would further the private interest of your spouse by creating potential income.
- Your spouse works for Company X. Company X files an application and you are selected to work on the application. In this situation, you should disclose the fact that your spouse is employed by Company X to your leader and be careful not to give any confidential information to your spouse. If your spouse is in a position of influence within the company, you must remove yourself from the application so that the ERCB not only is but also appears to be impartial. This also applies where the application will be the subject of a hearing and you are assisting in the hearing.
- You are a farmer as well as an ERCB employee. You are still eligible to participate in ERCB decisions developed specifically for farmers and to benefit from them.

- Your child owns \$100 in securities of an entity regulated by the ERCB. Although the value of those securities is minimal, you must disclose that financial interest to the ERCB and avoid participating directly in decisions or applications involving the entity as you have a trivial interest. If a decision or disposition on an application submitted by the entity were to have a significant impact on share price or the value of the securities, your interest may no longer be considered trivial and could be a conflict of interest.

Reporting Violations of the Conflict Policy

See Section 5 in the Conflict Policy.

6 Dealing with Others

Inspection, regulatory, or discretionary authority

Under the Conflict Policy, you may not exercise inspection, regulatory, or other discretionary authority over others in situations where your impartiality could be questioned. You may not give preferential treatment to relatives, friends, or others if it could be perceived that you are giving them an advantage/benefit because they know you.

In emergency situations when it may not be possible to obtain direction before you get involved, you should handle the situation impartially and then let your Manager or Executive Manager know what happened.

Examples

- You are an inspector responsible for inspecting a site owned by a close personal friend or family member.
- You are assigned to help mediate a negotiated settlement process between an energy company and some local landowners, and you learn your brother is an intervener.

Working with relatives

The Conflict Policy permits two members of a family to work in the same group, provided there is no opportunity to exercise favouritism and no chance for one to benefit from the other's decisions.

Example

- You are part of a team to assist in the allocation of new office space and furniture, and your brother makes a private request to you to “see what you can do to find me an office.” If such a situation should arise, you should inform your brother that such intervention on your part could be a conflict of interest or have your Manager or Executive Manager reassign your responsibilities to someone else so that your impartiality is not compromised.

Recruitment and selection of employees

If you participate in the staff hiring process or the awarding of contracts, you must be careful not to show favouritism: these processes must be fair and be seen to be fair. This means you should withdraw from a hiring selection panel if an applicant is a relative or a

person with whom you have a close, personal relationship. If you remained involved, your impartiality could be questioned if that candidate were selected.

Examples

- You are the line supervisor for conducting interviews and a relative of yours, as defined in the Conflict Policy, applies for the position.
- Your staff have reviewed bids for contracts and you find that your uncle's firm has been recommended to be awarded one of the contracts.

7 Respectful Workplace

A respectful workplace ensures that individuals are free from harassment, discrimination, violence, and have a means of reporting and resolving threatening behaviour or actions. Complaints regarding inappropriate conduct are considered serious and will be investigated according to established guidelines. Necessary action will be imposed on persons found to violate the respectful workplace policy.

Those subjected to or are aware of inappropriate workplace behaviours are encouraged to access assistance in pursuing and reporting an incident as outlined in Section 21 of the ERCB Personnel Policy Manual. All incidents of inappropriate behaviour must be reported to your Manager, Executive Manager, or Human Resources so that the appropriate steps can be taken to address the issue.

Discrimination

Employees must not discriminate against another employee or prospective employee or member of the public because of that person's race, colour, place of origin, ancestry, gender, age, marital status, religious beliefs (including native spirituality), mental and physical ability, source of income, family status, sexual orientation, or any other category covered under the Alberta Human Rights, Citizenship and Multiculturalism Act.

Harassment

Any acts of objectionable conduct or comments, directed towards a specific person or group, which has the effect of creating an intimidating, humiliating, hostile or offensive work environment such that it impairs an employee's performance, adversely affects the business relationship, and denies dignity or respect is unacceptable conduct and will not be tolerated.

Sexual Harassment

Any acts of unwelcome comment or conduct of a sexual nature in the workplace when the comment or conduct is accompanied by a reward or the expressed or implied promise of reward for compliance, reprisal or the expressed or implied threat of reprisal for refusing to comply, the actual denial of opportunity or the expressed or implied threat of the denial of opportunity for refusal to comply, or the intention or the effect of creating an intimidating, poisoned or offensive environment is unacceptable conduct and will not be tolerated.

Violence

Employees must not subject another employee or prospective employee, member of the public, or any individual affiliated with the ERCB to the attempted, threatened, or actual conduct that causes or is likely to cause physical injury.

8 Outside Employment and Volunteer Activities

As an ERCB employee, you may have an outside job or volunteer position as long as it does not cause an actual or perceived conflict of interest with your job responsibilities at the ERCB and/or the ERCB's mandate and mission.

If you are interested in taking on an extra job or a volunteer position that may present an actual or perceived conflict, you must obtain approval from your Manager or Executive Manager before you accept any such position. They can help you determine whether that position will interfere with your regular duties and responsibilities as an ERCB employee and/or constitutes a real or perceived conflict of interest.

Outside work

A conflict of interest may exist if it appears to others that you have gained unfair advantage in obtaining outside work because of your public role with the ERCB. This could occur in groups that are privatizing, outsourcing, or divesting certain functions and you, as an employee, want to submit a bid for the contract.

A conflict of interest can exist if you perform duties (self-employed or for another organization) that are part of the core processes of the ERCB. It is also a conflict situation if you work for a company that is under the jurisdiction of the ERCB or does business with the ERCB. Some examples of business types that could present such a conflict are oilfield service companies, mineral extraction and exploration companies, downstream energy and drilling service companies.

Example

- A conflict of interest would occur if you held a part-time job for a company that developed emergency response plans and your job duties at the ERCB included the review of emergency response plans. This would cause an actual or perceived conflict of interest.

Volunteering

While the ERCB supports its employees in participating in volunteer activities, the same restrictions apply as in regard to having an outside job. Your volunteerism should not interfere with your normal job duties at the ERCB, and the volunteer organizations should gain no advantage from your public role at the ERCB.

As an employee of the ERCB, you must be mindful of your public role when you are involved with an organization that is lobbying the ERCB or the Government of Alberta. Depending on your role at the ERCB, you could be in a conflict situation if you help to publicly advance views that are contrary to ERCB policy.

Interference with normal duties

As an ERCB employee, you are expected to keep personal business during work hours to a minimum. A conflict of interest would occur if you spent significant amounts of ERCB office time on personal business.

Following this, it is not acceptable for you to sell a non-ERCB product or service to employees or members of the public using ERCB offices, utilities, or equipment as a business base.

Circulating catalogues to your colleagues or placing or posting them in the kitchen of your department is acceptable. However, sales of products or services to ERCB employees cannot interfere with your responsibilities and duties as an ERCB employee and must use only minimal amounts of ERCB time and resources. Further, you must be mindful not to make your colleagues uncomfortable or feel pressured to participate in or buy products or services from you. The classified ad section of the ERCB portal is generally the most appropriate place for employees to advertise products or services.

Using ERCB premises, equipment (including the portal), and/or stationery to assist in charitable or fundraising activities must be approved by your Executive Manager. Use of ERCB common facilities such as Govier Hall, the main lobby, or West Hall for such activities must be approved through Workplace Services.

Example

- You are raising money for a charity or non-profit organization (e.g., Girl Guides) by selling chocolate bars on your floor. This is acceptable as long as it does not interfere with your position at the ERCB or cause discomfort to your co-workers and there is no or very limited personal use of ERCB premises and equipment.

Receiving additional compensation

It is unacceptable to receive additional compensation for performing your ERCB duties.

Example

- A conflict would occur if you accepted additional compensation or an honorarium from an outside company for providing advice/presentations as part of your normal ERCB job responsibilities.

Looking for other employment while at the ERCB

You must be careful that job-hunting for other positions does not interfere with your current job at the ERCB.

You may not use ERCB-paid time to create resumes or cover letters, do telephone interviews with prospective employers, or go on “quick interviews.” Similarly, you would be in conflict if you used ERCB equipment to print resumes or fax job applications to potential outside employers.

Examples

- You are expecting a call on your office telephone to let you know whether you got a new job, and you use your “call display” to screen out all other calls. By neglecting

to answer regular business calls, you are interfering with your responsibilities as an ERCB staff member.

- A conflict of interest would occur if you used ERCB premises or equipment to solicit services as a private consultant.

If you have a second business that you feel may affect your job at the ERCB in any way, discuss it with your executive manager or manager. This will help you to conduct outside activities while staying within the allowed ERCB guidelines. If your executive manager or manager finds that you are in violation of the guidelines on outside employment, they may consider various options to rectify the situation. They might request that you give up the outside employment, transfer, have your duties reassigned, or, in the worst case, resign. Disciplinary action may be taken if you refuse to cooperate in resolving the conflict.

9 Limited Personal Use of ERCB Premises and Equipment

ERCB staff are permitted limited use of premises and equipment for an outside interest, as long as the use is of an appropriate nature, does not result in any additional expenses to the ERCB, and does not result in excessive wear and tear of the organization's equipment.

Acceptable use of equipment and premises includes

- making a few photocopies,
- using a computer printer to print out a few pages,
- making occasional brief personal telephone calls,
- infrequently sending personal e-mail messages, and
- limited use of the Internet for personal reasons.

Internet usage

The ERCB makes the Internet available so staff may benefit from the business-related research it offers. For example, it is fine to use the Internet to look up information on various industry and governmental Web sites, as well as on our own. You may also use the Internet on your own time (i.e., lunch time or outside of work hours) for appropriate personal purposes, within reason.

Examples

- You may spend a few minutes of your lunch hour or outside of work hours researching travel arrangements or reading an on-line newspaper.
- You may not visit non-work-related chat sites or bulletin boards on a regular basis using ERCB Internet access or use it to view inappropriate, explicit material such as
 - visual pornography of any kind,
 - pornographic written material of any nature, including jokes, or
 - Web sites that promote violence.

10 Teaching

The Conflict Policy recognizes the ERCB's desire to support educational efforts. See Section 10 of the Conflict Policy regarding the requirements applicable to outside teaching by ERCB employees.

11 Professional Associations

Many ERCB staff belong to and sometimes hold positions in professional associations and societies. The ERCB encourages this as long as you have the approval of your Manager or Executive Manager.

12 Investment and Management of Assets (12 08 03)

As an ERCB employee, you must be—and be seen to be—impartial in performing your job duties. Therefore, you may not have monetary interest of any kind in any business that is regulated by the ERCB.

12.1 Prohibited Assets

See Section 12 of the Conflict Policy.

Examples

- A conflict of interest would result if you bought or sold assets or securities of an entity that the ERCB regulates. A conflict would also exist if you recommended, directed or influenced the purchase or sale by another person (including your spouse or minor children) of assets or securities of an entity that is regulated by the ERCB. This would be a conflict because you are indirectly engaging in activity that is prohibited by the policy. It is also a conflict because you may have or be perceived to have an unfair advantage over others because of your employment with the ERCB.
- There may be situations where an employee owns Prohibited Assets jointly with another party (e.g., a friend or sibling). Prohibited Assets that are jointly owned by an employee with another party are subject to the Conflict Policy and must be divested in accordance with the Conflict Policy. It is acceptable for an employee to transfer jointly owned Prohibited Assets to a party who is not subject to the Conflict Policy. However, following such transfer, the employee cannot have any direct or indirect legal or beneficial ownership in or influence, direction or control over those assets.
- Prohibited Assets that are fully managed by independent third parties and without any influence or decision-making by the employee are not prohibited assets within the meaning of the Conflict Policy. For example, a limited partnership, investment fund or mutual fund that is managed by an independent fund manager and that holds prohibited assets as part of the assets in the fund portfolio would not be considered prohibited assets. This is because all investment decisions are made by an independent fund manager and the employee has no ability to influence the investments in or the investment decisions made in connection with the fund.
- Consider a situation in which you own property with mineral rights. This is a potential conflict that you should disclose. The degree of conflict in this situation depends on your involvement in the decision-making process at the ERCB. For example, you could not be part of the hearing panel or support staff team responsible for deciding whether the company may drill on your property, nor could you handle

this application if you work in the group or branch that reviews the proposed drilling operations.

- If you have the ability or may be seen by others to have the ability to influence the profitability of a business in which you have invested through performing your ERCB job duties, this is considered a conflict of interest.

12.2 Exempt Interests

See Section 12 in the Conflict Policy.

12.3 Specific Requirements for Board Members

See Section 12 in the Conflict Policy.

13 Acceptance of Gifts (18 06 02)

As an ERCB employee, you must not accept gifts from other organizations or corporations other than small, inexpensive mementos or invitations to events within Alberta. Generally, the value of gifts should not exceed \$100 and must not include cash or cheques. Events attended should not exceed \$200.

ERCB employees must be particularly careful about receiving gifts, hospitality, or other benefits from those we regulate, those we do business with, ERCB suppliers, and potential suppliers. Acceptable gifts or hospitality are

- breakfast, lunch, and dinner invitations that have a ERCB business purpose,
- tokens exchanged as part of protocol,
- the normal presentation of gifts to persons participating in public functions, awards, speeches, lectures, presentations, or seminars.

ERCB employees and ERCB clubs and teams must not solicit gifts, hospitality, or other benefits from officers or employees of companies directly or indirectly regulated by the ERCB. Gifts, hospitality, or other benefits may be solicited from companies other than those the ERCB regulates for the purpose of club/team events providing that the principles of the Conflict Policy are adhered to.

The important principle here is to ensure that the perception of neutrality, objectivity, and impartiality as a regulator is not compromised. You should not be obligated or appear to be obligated to any individual or organization, nor should it publicly appear that the giving of gifts is an acceptable required method of obtaining consideration from ERCB employees. Because every situation is different, you must use your own judgement and common sense in determining whether a gift is acceptable. If you are in doubt as to whether a gift or invitation is appropriate, ask your executive manager or manager. If uncertainty remains about acceptance of a specific gift or invitation, the decision should be referred to the Ethics Committee.

Examples

- Generally, it makes sense that you should be very careful about accepting gifts or invitations to an event from any company that has an open audit or application before the ERCB or that may be responding to a request for a proposal (RFP). For example, it would be a conflict of interest if a company had an open application and sent you

an invitation to participate in a golf function that was set up exclusively for only representatives from their company and ERCB staff. This type of situation would have the appearance that the company is using the function as a method of obtaining consideration from ERCB employees.

- If while attending a lunch, dinner, or other event at a company's expense, you begin to feel that you may be in a conflict situation, you should pay your own costs, explaining that you want to maintain your objectivity. In some cases, it may be permissible to submit a claim for reimbursement of the costs of the event, subject to Manager or Executive Manager approval.

14 Political Activity

This section in the Conflict Policy summarizes the process an ERCB staff member must follow if running for a federal, provincial, or municipal council (does not include School Board members) election. Other political activity is acceptable, as long as it follows the guidelines set out in the Outside Employment and Volunteer Activity section.

As an ERCB employee, you may be an active participant in politics if you so choose, but you may not participate directly in soliciting contributions. This restriction is intended to remove any element or suggestion of coercion. Many ERCB employees exercise authority over the public through their work, and a request for financial support by these employees could be misconstrued as implying that a contribution would mean better service at the ERCB.

If you are involved in acceptable political activities, you are still required to be discreet in the workplace.

Caution should be used when deciding whether to attend political fund-raising events.

Examples

- You would not be in violation of the Conflict Policy if you are the treasurer of a constituency association involved in developing funding strategies for a candidate and you do not directly solicit contributions. It is even acceptable for you to promote a candidate door to door, as long as you do not solicit funds at the same time.
- It is inappropriate for you to wear campaign buttons when you meet and serve the public as part of your job at the ERCB. Your political activity must not interfere with your work requirements at the ERCB.

15 Statements

Public writing/speaking

If you are to speak to the media or write publicly to the media, you should follow the guidelines laid out in *Internal Guide 23: ERCB Media Relations Guide*. This guide has been designed to assist you with dealing with all kinds of media, so that you can maintain a positive relationship with them. This is important: the media are key conveyors of ERCB messages and information to our stakeholders.

When speaking in public on behalf of the organization, you must make it clear that you are speaking in your official public service role and are not presenting your own private

views. Likewise, if you are speaking on behalf of yourself as an individual, you must be sure to clarify that you are not representing the views of the ERCB.

Example

- You receive a call at your office from a reporter who wants to interview you in your area of expertise. Before participating in the interview, you should consult Communications to coordinate the interview through them and for assistance in planning and preparing for the interview.

Document confidentiality

As an ERCB staff person, you may be in contact with or have access to some highly confidential material. It is your responsibility to maintain the confidentiality of this information.

Examples

- You would be in breach of the Conflict Policy if you released a hearing decision or details on it before the ERCB's planned release to the public.
- It would also be a conflict of interest and a violation of the Conflict Policy if you gave confidential information submitted to the ERCB by one company to another company or prior employee of the ERCB.

The Freedom of Information and Protection of Privacy Act

Under the requirements set out in the *Freedom of Information and Protection of Privacy Act*, you must obtain written permission from a person before disclosing his/her personal information (e.g., birth date, age, home phone number, home address, marital status, health or medical information, dependent information, etc.) to any parties, including other employees or the public, or releasing electronic or paper files containing such information.

Mass mailings

You may not use the ERCB e-mail system to circulate any sort of mass mailings not related to ERCB business.

You may not send requests to staff for donations for a personal interest or for an outside organization not officially sponsored by the ERCB or an ERCB employee association.

Be careful to send notes only to staff with a direct interest; notes addressed to all ERCB staff should concern only matters or activities that affect everyone in all the ERCB office locations.

Examples

- You may not distribute chain letters (paper or electronic) around the ERCB or solicit business for an outside job using ERCB mail or electronic means.
- You may communicate to staff about fund-raisers like the United Way if you are part of the ERCB's organizing team, and you may send notes to your whole group for

special staff-related announcements, such as the birth of a baby or the receipt of an award or diploma.

16 Trade Knowledge and Intellectual Property

As an ERCB staff member, you must not sell, trade, market, or distribute any product or technology that was developed by any ERCB employee (including you) during the course of their employment here without approval from the Ethics Committee. These products and services are classified as ERCB-owned property.

Example

- You give a copy of an ERCB document for free to an industry friend, while others must pay for it.

17 Compliance with ERCB Copyright

Employees must respect the ERCB-owned copyrights on products, services, publications, or any other property in which the ERCB maintains copyright. Employees must also respect copyrights and licence agreements imposed by other companies.

Example

- It is unacceptable to install ERCB-owned software on your home computer unless you have a licence to do so.

18 Post-Employment Restrictions

If you stop working for the ERCB, you are still responsible for adhering to the following restrictions:

- You may not provide data or information gained through your employment at the ERCB to clients or your new company when that information is not public knowledge (e.g., exploration data or information on a decision that is not yet public).
- You may not use a system or process that you were part of developing for the ERCB with clients or a new company.

In fact, the ERCB has full legal ownership of all new intellectual property—information, data, systems, processes, products—that you created during your employment with the ERCB.

19 Review Process

See Section 19 in the Conflict Policy.

20 Penalties and Consequences

All employees must certify that they have read and understand the Conflict Policy, using the Employee Certification and Financial Disclosure Summary Form (HR-43A).



ERCB Conflict of Interest Policy and Procedure
Form HR-43A
Employee Certification
and Financial Disclosure Summary

This document will be retained with your employee file.

Section 1 – Employee Information

Name _____
Branch/Group _____
Job Title _____

Section 2 – Financial Assets/Interests Disclosure

Check Either 2A or 2B (Choose One Only).

- 2A. I, my spouse and/or minor children **do not** directly or indirectly own any Prohibited Assets as referenced in section 12.1 of the Conflict of Interest Policy and Procedure (Conflict Policy).
- 2B. I, my spouse and/or minor children **do** own Prohibited Assets as referenced in section 12.1 of the Conflict Policy. I have completed the Financial Assets/Interests Disclosure Summary below.

Section 3 – Financial Assets/Interests Disclosure Summary

Complete all applicable sections. Where no assets or interests are owned, please indicate that by a notation of "None" in the applicable area. Please do not leave any section blank. (Attach additional pages if necessary)

3A. Real Property Interests: List all interests in land owned by you, your spouse and/or minor children that have energy or mineral rights or leases attached.

Address or legal description of property _____

Description of interest _____

3B. Private Business Interests: List all private business interests (including securities or debt of private corporations, interests in sole proprietorships, partnerships and joint ventures) owned or controlled by you, your spouse and/or minor children that are regulated by the ERCB.

Name of business _____

Description of Interest (include type of security or interest (e.g., 100 common voting shares of Petro Andina Resources Inc.))

Description of interest _____

3C. Securities and Other Interests in Public Corporations: List all securities or other interests owned or controlled by you, your spouse and/or minor children in any publicly traded issuers (including corporations, income trusts, limited partnerships, etc.) that are regulated by the ERCB.

Name of Issuer _____

Description of investment (include number and type of security or interest (e.g., 1500 common shares of Petro Canada Inc.)

Owner _____

Section 4 - Certification

I hereby certify that the information provided in this form is true and correct. I confirm that I have read and understand the Conflict Policy and recognize that I must comply in all respects with the Conflict Policy as a condition of my employment with the ERCB.

Employee signature _____ Date _____

Human Resources signature _____ Date _____

Ethics Committee Chair signature* _____ Date _____

*only required where Ethics Committee Chair approval of disclosure is required

This information is being collected to ensure compliance with the Energy Resources Conservation Board's Conflict of Interest Policy and Procedure. It is protected by the provisions of the Freedom of Information and Protection of Privacy Act. If you have any questions regarding this collection, please contact Human Resources, 15th floor, telephone: (403) 297-8333.