

**AN ACT TO AMEND THE CIVIL SERVICE ACT AND TO ESTABLISH A CODE OF  
CONDUCT FOR THE NUNATSIAVUT CIVIL SERVICE**

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Annex Civil Service Code of Conduct

**Short Title**

1. This Act may be referred to as the *Civil Service Act Amendments, 2015*.

**Definitions Amended**

2.


**Subsection (1) of Section 2 of the Civil Service Act is deleted and replaced with the following:**

(1) In this Act unless the context otherwise requires:

"Agency" means a board, committee or other body, whether incorporated or unincorporated, all the members of which, or all the members of the management or board of directors of which, are appointed by the Nunatsiavut Government pursuant to the Labrador Inuit Land Claims Agreement or pursuant to an Inuit Law or by the Executive Council;

“Civil Service Code of Conduct” means the code of conduct for Employees referred to in subsection 30 (1) of this Act and attached as Schedule 2;

“Constitution” means the Labrador Inuit Constitution;



11.25.15

“Demote” means to reduce the salary of an Employee by transferring the Employee to a position with a lower maximum salary or by reducing the salary of the Employee’s present position;

“Department” means an administrative unit of the Nunatsiavut Government which is staffed by Employees pursuant to this Act and which reports directly to a Minister;

“Deputy Minister” means a senior Employee, appointed by the Executive Council, who serves under a Minister as the deputy head or senior manager of a Department or Agency;

“Director” means a senior manager within a Department who reports to the Deputy Minister;

“Director of Human Resources” means the Employee appointed as the Director of Human Resources under section 7 and includes an Employee acting as the Director of Human Resources;

“Employee” means a person employed by the Nunatsiavut Government in any division of the Nunatsiavut Civil Service;

“Executive Council” means the Nunatsiavut Executive Council under Chapter 5 of the Constitution;

“Hiring Committee” means the Director of Human Resources or a hiring committee appointed by the Treasurer pursuant to subsection 11(3);

“Minister” means the member of the Executive Council responsible for human resources;

“Merit Principle” means the principle that merit governs the appointment of a person to, and advancement within, the civil service on the basis of qualifications, relative ability, knowledge and skills while having regard to measures and provisions established pursuant to section 14;

“Part-time” in relation to an Employee, means employment for irregular hours of duty or for specific intermittent periods, or both, where the services of that Employee may not be required for the whole of the normal work day, week, month or year;

“Promotion” means the appointment of an Employee, as a result of a competition or a classification review, to a position having a higher maximum salary; (IL 2006-05)

“Regulations” means regulations made under this Act;

“Secondment” means the temporary transfer of an Employee for a specified period of time to or from one position to another position;

“Transfer” means the reassignment of an Employee to a position for which the maximum rate of pay does not exceed the maximum rate of pay for the position from which the Employee is transferred; (IL 2006-05) and

“Treasurer” means the Treasurer of Nunatsiavut appointed by the President pursuant to subsection 5.1.1 (c) of the Constitution. (IL 2006-05)

### References to “Director” Amended

3.

- (1) All references in the *Civil Service Act* to “Director” are deleted and replaced with “Director of Human Resources” including without limitation all headings and the references in the following provisions: 7(2); 7(3); 7(3)(r); 7(4); 8; 11(3); 16(2); 16(4); 17(4); 18(1); 18(3); 18(4)(b); 18(5); 18(6); 19(3); 20(1); 20(2); 20(3); 21; 24(5)(b); 24(6); 25(2); 26(1); and 27.
- (2) References in sections 8, 10(1)(c), 12(6), 22(2), 29(1), 29(2) and 29(3) of the *Civil Service Act* to “director” are deleted and replaced with “Director”.

### References to “Hiring Committee” Amended

4.

- (1) All references to “a hiring committee appointed under subsection 11(3)” in the *Civil Service Act* are deleted and replaced with “the Hiring Committee” including without limitation the references in the following provisions: 18(1); 18(3); 18(4)(b); 18(5); 18(6); 20(1); and 20(3).
- (2) The word “hiring” in paragraph 17(4)(c) is deleted.

### References to “President-in-Council” Amended

5.

All references in the *Civil Service Act* to “President-in-Council” are deleted and replaced with “Executive Council” including without limitation the references in the following provisions: 4(1); 7(1); 10(2); 10(4); 13(1); 13(2); 13(3); 15(3); 16(1); 19(2); 23(1); and 25(1).

### Amendments to Section 11

6.

- (1) Subsection 11(2)(b) of the *Civil Service Act* is amended by inserting the word “and” immediately after the semi-colon.
- (2) Subsection 11(3) of the *Civil Service Act* is further amended by deleting the phrase “Civil Servant” and replacing it with the word “Employee”.
- (3) Subsection 11(4) of the *Civil Service Act* is deleted and replaced with the following:
  - (4) An appointment to a position in the employees division shall be made by the Director of Human Resources or the senior Employee responsible for the Department or Agency in which the position will be held acting on the advice of the Hiring Committee.

**Amendments to Subsection 16(3)**

7. **Subsection 16(3) of the *Civil Service Act* is amended by**
- (a) **deleting the word “Director” and replacing it with the phrase “Director of Human Resources”;**
  - (b) **deleting the phrase “merit principle” in both places that it occurs and replacing it in each instance with the phrase “Merit Principle”; and**
  - (c) **deleting the phrase “President-in-Council” and replacing it with the phrase “Executive Council”.**

**Amendment to Subsection 17(2)**

8. **Subsection 17(2) of the *Civil Service Act* is deleted and replaced with the following:**
- (2) For purposes of subsection (1):
    - (a) the Executive Council may delegate some or all functions related to the appointment of a Deputy Minister, including the power to make an appointment, to a committee composed of Ministers and the Director of Human Resources provided the committee is chaired by a Minister.
    - (b) the Executive Council may delegate some or all functions related to the appointment of a Director, including the power to make an appointment, to a committee composed of Deputy Ministers and the Director of Human Resources provided the committee is chaired by a Deputy Minister.

**Amendment to Section 26**

9. **Section 26 of the *Civil Service Act* is amended by deleting subsection (3).**

**Amendment to Section 27**

10. **Section 27 of the *Civil Service Act* is amended by deleting the word “ten” and replacing it with the word “five”.**

**Civil Service Code of Conduct**

11. **Section 30 of the *Civil Service Act* and the heading are deleted and replaced with the following:**

**Civil Service Code of Conduct**

**30.**

- (1) The code of conduct for Employees of the Nunatsiavut Government set out in Schedule II to this Act is hereby enacted pursuant to sections 4.22.1 and 6.3.1 of the Constitution as an Inuit law under subsection 17.7.3(a) of the Agreement.

- (2) The Civil Service Code of Conduct shall be interpreted and implemented as part of this Act.

**Transitional Provisions Rescinded**

12. Part 6 of the *Civil Service Act* is deleted in its entirety and all subsequent Parts and sections renumbered accordingly.

**Scope of Regulatory Power Amended**

13. Section 31 of the Civil Service Act (as re-numbered in accordance with section 12 of this Act) is amended:

- (a) by deleting subsection (e) and replacing it with:

(e) implementation of the Civil Service Code of Conduct;

- (b) by re-numbering subsections (f) to (q), inclusive, as subsections (g) to (r); and

- (c) by adding a new subsection (f) as follows:

(f) procedures, including remedial and disciplinary action up to and including termination, for contravention of the Civil Service Code of Conduct, this Act, the regulations or other Inuit law, lawful directives and for any other misconduct or wrongdoing;

**Schedule II Added to the Civil Service Act**

14. The Annex to this Act is attached as Schedule II to the *Civil Service Act*.

**Coming Into Effect**

15. This Act comes into effect on a date to be set by order of the President.

**ANNEX TO THE *CIVIL SERVICE ACT AMENDMENTS, 2015***

## SCHEDULE II

### CIVIL SERVICE CODE OF CONDUCT

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#### **Citation**

##### **1.**

This Code of Conduct for the Employees of the Nunatsiavut Government may be cited as the *Civil Service Code of Conduct*.

#### **Public Trust**

##### **2.**

- (1) The Nunatsiavut Civil Service shares with the members of the Nunatsiavut Assembly and the Nunatsiavut Executive Council a responsibility to establish and maintain the public's trust and confidence in the Nunatsiavut Government and the work it does for and on behalf of the Inuit.
- (2) Employees are in a position of public trust when performing their functions and duties and must act in accordance with the law, including the Civil Service Code of Conduct.

## **Purpose**

### **3.**

Recognizing that the Nunatsiavut Civil Service is governed by the values and principles enshrined in the Labrador Inuit Constitution, including the principles set out in section 6.2.1 of the Constitution, the purpose of the Civil Service Code of Conduct is to establish and preserve the trust and confidence of Inuit and the Canadian public in the Nunatsiavut Government by requiring that Employees maintain high standards of ethical behaviour in carrying out their work.

## **Application**

### **4.**

This Civil Service Code of Conduct applies to all Employees when they are:

- (a) engaged in the performance of the duties and functions as Employees, whether in the offices of the Nunatsiavut Government or elsewhere;
- (b) present at their place of employment with the Nunatsiavut Government whether or not they are performing a duty or function related to their employment; and
- (c) at all times when traveling on Nunatsiavut Government business.

## **Core Standards of Ethical Behaviour**

### **5.**

All Employees must carry out their functions and perform their duties with:

- (a) integrity;
- (b) transparency;
- (c) respect; and
- (d) accountability.

## **Integrity**

### **6.**

The standard of integrity requires that, in carrying out their functions and performing their duties, Employees must:

- (a) be honest, truthful and trustworthy;
- (b) avoid illegal conduct;
- (c) act impartially, fairly and free from prejudice;



- (d) act without self-interest and without conflict of interest;
- (e) be loyal to the Nunatsiavut Government in carrying out its lawful policies;
- (f) serve only the public interest of the Nunatsiavut Government and not act in any way that is inconsistent with their office;
- (g) give full effort and dedicated thought in return for the pay and benefits that they receive;
- (h) never perform their duties or functions or enter their workplace while under the influence of alcohol or illegal drugs, hung over or smelling of alcohol;
- (i) never make private promises or give special favours or privileges to anyone;
- (j) refuse favours or benefits for themselves or their families under circumstances that might reasonably be considered as influencing the performance of a function or duty;
- (k) spend allowances, expense accounts, and money entrusted to them or administered by them solely for the purposes of the Nunatsiavut Government; and
- (l) use Nunatsiavut Government credit cards, Nunatsiavut Government property, requisitioned supplies and purchase orders solely for the purposes for which they are intended.

### **Integrity, Respect and Prejudice**

7.

- (1) Employees must carry out their functions and perform their duties without discriminating against any individual on the any of the following grounds:
  - (a) race;
  - (b) national or ethnic origin;
  - (c) colour;
  - (d) religion;
  - (e) age;
  - (f) sex;
  - (g) sexual orientation;
  - (h) marital status;

- (i) family status;
  - (j) disability; or
  - (k) a conviction for which a pardon has been granted or a record suspended.
- (2) Without limiting subsection (1) it is discriminatory to carry out any of the following actions based on one or more of the grounds of discrimination referred to in that subsection:
- (a) denying an individual access to a program, service, goods, facilities or accommodation;
  - (b) providing an individual goods, services, facilities or accommodation in a way that treats them adversely and differently;
  - (c) refusing to employ or continue to employ an individual, or treating them unfairly in the workplace;
  - (d) following policies or practices that deprive people of employment opportunities;
  - (e) paying men and women differently when they are doing work of the same value;
  - (f) retaliating against an individual who has filed a complaint of discrimination or against someone who has filed a complaint on their behalf; or
  - (g) harassing someone.
- (3) Notwithstanding anything in subsections (1) and (2), unless an Inuit Law or an agreement between the Nunatsiavut Government and the Crown expressly states that a program, service, goods, facilities or accommodation delivered by the Nunatsiavut Government is to be provided to both Inuit and Non-Beneficiaries, it is not discrimination for an Employee to deny a program, service, goods, facilities or accommodation to a person solely on the grounds that the person is not an Inuk.

### **Integrity, Respect and Harassment**

#### **8.**

- (1) Employees must carry out their functions and perform their duties without harassing others, including fellow Employees, members of the public and members of the Nunatsiavut Government.
- (2) Without restricting or limiting section 6 or 7 or subsection (1), Employees must not:
  - (a) engage in physical or verbal behaviour that is unwelcome to, or that offends or humiliates, the individual to whom it is directed;
  - (b) make unwelcome, offensive or humiliating remarks or jokes about a person's race, religion, sex, sexual orientation, age, disability or any other of the prohibited grounds of discrimination referred to in subsection 6(1);

- (c) make unwelcome, offensive or humiliating physical contact with others; or
- (d) threaten or intimidate others.

### **Integrity, Respect and Sexual Harassment**

#### **9.**

Without restricting or limiting section 6, 7 or 8, Employees must not make unwelcome sexual advances or requests for sexual favors or engage in other unwelcome verbal or physical conduct of a sexual nature when:

- (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or a term or condition of receiving a Nunatsiavut Government program, service or benefit;
- (b) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or
- (c) such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

### **Unwelcome Behaviour Defined**

#### **10.**

For purposes of sections 7, 8 and 9 behaviour, remarks and other verbal and physical conduct is unwelcome:

- (a) whenever the person subjected to it considers it unwelcome; or
- (b) whenever the Employee engaging in the behaviour or verbal conduct knows or ought reasonably to know that the behaviour or verbal conduct is or is likely to be unwelcome, offensive or humiliating to others.

### **Integrity and Impartiality**

#### **11.**

- (1) Employees must always avoid situations where a conflict of interest may occur or where inappropriate behavior and working relationships may result in claims of favoritism or harassment.
- (2) Without restricting or limiting sections 6 and 7 or subsection (1), the requirement that Employees carry out their functions and perform their duties impartially, fairly and without prejudice requires that Employees:
  - (a) do their jobs without bias, without favour and without allowing outside interests to conflict with work activities or decisions;

- (b) make work decisions without consideration of their personal interests or the interests of their family and friends;
- (c) comply with the Nunatsiavut Government's procurement laws and with its policies and procedures respecting requisitions and purchase orders;
- (d) ensure that their non-employment activities do not conflict with their jobs;
- (e) never participate in decisions that benefit themselves or their friends or family;
- (f) never make or participate in decisions that affect the employment of members of their family and never supervise members of their family who are also Employees; and
- (g) refuse to accept gifts, hospitality or entertainment from people who do or want to do business with the Nunatsiavut Government.

### **Integrity, Impartiality and Conflict of Interest**

#### **12.**

- (1) Without restricting or limiting section 6, the requirement that Employees carry out their functions and perform their duties without conflict of interest requires that Employees:
  - (a) be vigilant about and recognize situations where they, their friends, family or business associates could directly benefit from an action or decision that the Employee is empowered to make and situations where it may look to someone else that the Employee, their family, friends or business associates could benefit from an action or decision that the Employee is empowered to make;
  - (b) disclose any personal interest or perceived personal interest, preferably in writing, to their supervisor;
  - (c) remove themselves from the decision-making process with respect to any and all matters in which they have a personal interest or perceived personal interest; and
  - (d) avoid any involvement in the matter.
- (2) Employees must not use their positions or any information entrusted to them to enrich themselves or improperly benefit any other person.
- (3) Employees must not accept a monetary or other in-kind payment or any benefit, gift, favour or service from any individual, organization or corporation in relation to the Employee's work.
- (4) Subsections (2) and (3) do not apply to:
  - (a) the normal exchange of hospitality between persons doing business together;
  - (b) tokens exchanged as part of protocol; or

- (c) the normal presentation of gifts to persons participating in public functions.
- (5) An Employee who has a share or any direct or indirect ownership, participation, revenue entitlement or other interest in an outside business that has, or may have, dealings with the Nunatsiavut Government shall immediately disclose such share, ownership or interest in writing to his or her Deputy Minister and comply with any directive that may reasonably be issued by the Deputy Minister with respect to the matter.

### **Conflict of Interest and Family Employment**

#### **13.**

- (1) Employees who are in a position to make or influence a hiring decision of the Nunatsiavut Government must not exercise their power or influence in relation to the hiring of friends or relatives by the Nunatsiavut Government and must avoid situations where it may appear to someone else that the employee has exercised their power or influence so as to favour the hiring of a friends or relative.
- (2) Subsection (1) does not prohibit the Nunatsiavut Government from the hiring of friends or relatives of individuals who are Employees.
- (3) Employees who are in a position to make or influence a decision of the Nunatsiavut Government regarding promotions, performance appraisals, career plans, employment benefits and discipline must not exercise their power or influence in relation to friends or relatives.
- (4) The Director of Human Resources must take reasonable steps to prevent family members employed by the Nunatsiavut Government from being supervised by or subordinated to one another.
- (5) An Employee who is in a situation described in subsection (4) or in any other situation that could raise a concern about or perception of patronage, preference, favouritism or harassment on the basis of family relationship is required to bring the situation to the attention of his or her supervisor.
- (6) Employees who exercise a regulatory, inspectional, or other discretionary function over a family member shall, wherever possible, disqualify themselves from dealing with that person with respect to those functions.

### **Family Defined**

#### **14.**

For purposes of sections 11, 12 and 13 “family” means a spouse, common law-spouse, parent, child, brother, sister, grandparent, grandchild, mother-in-law, father-in-law and siblings-in-law.

## **Integrity and Outside Activities**

### **15.**

- (1) Employees must prevent situations where their involvement in their community or other non-employment activities, including participation in community organizations, advocacy groups, political parties, volunteer work and charitable organizations:
  - (a) interferes with their ability to do their jobs;
  - (b) undermines the impartiality of the Nunatsiavut Government and the Nunatsiavut Civil Service; or
  - (c) gives rise to a perceived conflict of interest.
- (2) An Employee who sits on a board, council or committee to which they have not been appointed by the Nunatsiavut Government or that is not part of their duty as an Employee must:
  - (a) request leave from the Nunatsiavut Government for any period when their duties or functions as a member of the board, council or committee are to be carried out during Nunatsiavut Government work hours; and
  - (b) comply with subsection (1).

## **Integrity and Outside Employment**

### **16.**

- (1) Employees may not undertake any other paid work except as set out in subsections (2), (3), (4) and (5).
- (2) Subsection (1) does not apply to an Employee who, immediately before the date that this Code comes into effect was engaged in outside paid work for as long as the work continues.
- (3) A Deputy Minister, with the prior written consent of his or her Minister and other Employees with the prior written consent of the Director of Human Resources, may undertake outside paid work provided the work is lawful and does not, in the opinion of the Minister or Director of Human Resources, as the case may be:
  - (a) place the Employee in a conflict of interest or perceived conflict of interest with the functions and duties they perform for the Nunatsiavut Government;
  - (b) result in the Employee having or appearing to have divided loyalties;
  - (c) conflict with Nunatsiavut Government hours of work or otherwise interfere with the efficient performance of the Employee's Nunatsiavut government duties;
  - (d) compete with Nunatsiavut Government programs or services; or

- (e) involve the use of the Nunatsiavut Government's premises, equipment, or supplies.
- (4) A Deputy Minister, with the consent of his or her Minister, and other Employees with the consent of the Director of Human Resources, may teach courses at educational institutions during normal working hours, provided that:
- (a) acceptable arrangements can be made for the Employee to perform all regular duties;
  - (b) course preparation and marking is done on the Employee's own time; and
  - (c) there is no other conflict or interference with the Nunatsiavut Government's operations.
- (5) Employees who are employed on a part time or casual basis may pursue supplementary income through outside work, including self-employment, provided the outside work is lawful and does not:
- (a) place them in a conflict of interest or perceived conflict of interest with the functions and duties they perform for the Nunatsiavut Government;
  - (b) conflict with Nunatsiavut Government hours of work or otherwise interfere with the efficient performance of their Nunatsiavut Government duties and functions;
  - (c) compete with Nunatsiavut Government programs or services; or
  - (d) involve the use of the Nunatsiavut Government's premises, equipment, or supplies, unless such use is authorized in advance and in writing by the Employee's supervisor in the management division.

### **Integrity, Impartiality and Politics**

#### **17.**

- (1) An Employee may not serve as an elected member of Parliament, the Nunatsiavut Assembly or other legislature, an Inuit Community Government, or an Inuit Community Corporation.
- (2) An Employee may serve as an elected member of a city, town or other municipal council subject to subsections (4), (5) and (7) if:
  - (a) the Employee does not, in or performing any duty or function as a member of the council, impair his or her usefulness in the position in which he or she is employed by the Nunatsiavut Government;
  - (b) serving on the council does not result in the Employee having or appearing to have divided loyalties;

- (c) the duties and functions of the elected office do not conflict with Nunatsiavut Government hours of work or otherwise interfere with the efficient performance of the Employee's work with the Nunatsiavut Government;
  - (d) the Employee does not reveal or use any information obtained in the course of his or her employment with the Nunatsiavut Government; and
  - (e) in the event of a conflict of interest, the Employee conforms to the conflict of interest requirements in section 12.
- (3) Except as provided in subsection (1) and subject to subsections (4), (5) and (7) an Employee may:
- (a) participate in political activities when not on duty;
  - (b) be a member of a political party;
  - (c) be a candidate in a federal, provincial, Nunatsiavut Assembly, municipal, Inuit Community or Inuit Community Corporation election; and
  - (d) in accordance with subsection (2) serve on a city, town or municipal council.
- (4) An Employee intending to run for an elected office must, in the case of an Employee in the management division request permission from the Minister and in the case of an Employee in the employees division request permission from the Deputy Minister and the Minister or the Deputy Minister, as the case may be, must grant permission unless, in the opinion of the Minister or Deputy Minister, a conflict of interest exists or could exist.
- (5) An Employee, who has received permission to run for elected office, must request a leave of absence for the duration of the election period:
- (a) in the case of an Employee in the management division to the Minister; and
  - (b) in all other cases to the Deputy Minister.
- (6) The Minister or Deputy Minister, as the case may be, must grant a leave of absence under subsection (5) unless he or she determines that to do so would seriously undermine the ability of the Nunatsiavut Government to deliver an essential service to the public.
- (7) A leave of absence granted under subsection (6) shall not extend beyond the day on which the successful candidate is declared elected and if the Employee is declared elected he or she shall be absolutely deemed to have resigned from the Nunatsiavut Government at that time.
- (8) If an Employee is refused a leave of absence under subsection (6) or is denied permission under subsection (4), the Employee may appeal to the Executive Council or any committee of the Executive Council that may be established to hear the appeal.
- (9) A decision under subsection (8) is final.



## **Prohibited Political Actions**

### **18.**

- (1) Employees must not:
  - (a) use or attempt to use, directly or indirectly, the authority or official influence of their positions to:
    - (i) control or modify the political action of any other person; or
    - (ii) support or promote a political party, political candidate or the holder of a political office;
  - (b) during the hours of duty engage in any form of political activity;
  - (c) threaten or discriminate against another Employee for a political reason or purpose or because the Employee has not taken part in a political activity; or
  - (d) compel or pressure another Employee to take part in any political undertaking or to make a contribution to a political party, candidate or office holder.
- (2) Except when on leave for purposes of his or her own nomination or election an Employee must not solicit funds for the use of a political party, candidate or office holder either during or outside the hours of their employment with the Nunatsiavut Government.

## **Integrity and Loyalty**

### **19.**

- (1) Employees must place loyalty to the Nunatsiavut Government above loyalty to other Employees, members of the Nunatsiavut Assembly, family, friends and business associates.
- (2) Employees must recognize that the Nunatsiavut Assembly is the elected voice of the Inuit and respect the lawful decisions and directives of the Nunatsiavut Assembly, the Executive Council, President and Ministers.
- (3) Employees must exercise restraint in any criticism of the Nunatsiavut Government and consider how their public comments may affect public perception of the Nunatsiavut Government and the loyalty of other Employees.
- (4) In carrying out their duties and functions Employees must distinguish between their personal opinions and the laws, policies and procedures of the Nunatsiavut Government.
- (5) Employees must not:
  - (a) make public comments, including comments that might reasonably be expected to become public, that disparage or harm the reputation of the Nunatsiavut Assembly, the Nunatsiavut Government or co-workers;

- (b) claim to speak on behalf of the Nunatsiavut Government unless explicitly authorized to do so; or
- (c) express personal opinions or make personal statements using Nunatsiavut Government letterhead, the Employee's Nunatsiavut Government e-mail address or any other means of communication that implies a connection between the Employee's personal comments or opinions and the Nunatsiavut Government.

## **Transparency**

### **20.**

- (1) Employees, acting under the direction of the Executive Council, have a responsibility to provide timely, accessible and accurate information respecting the Nunatsiavut Government and its programs and services to the Inuit.
- (2) Employees must be open and honest in dealing with Ministers and with their managers, supervisors, and the public.
- (3) Employees must provide full disclosure when offering information or advice to their superiors.
- (4) Where an Employee might have a conflict between the Employee's personal interests and those of the Nunatsiavut Government or experience a divided loyalty between the Nunatsiavut Government and an outside interest or entity, the Employee must disclose that fact immediately, in writing, to his or her supervisors or managers.
- (5) Employees must abide by laws, policies and procedures of the Nunatsiavut Government in relation to the making and keeping of records of decisions, the safe and orderly storage of files, the retention of records, and confidentiality of and access to information.

## **Respect**

### **21.**

- (1) Employees are expected to recognize that the Nunatsiavut Civil Service:
  - (a) is entrusted with Inuit taxes and financial resources;
  - (b) is responsible for delivering programs and services that are supported by Inuit through their taxes and financial resources;
  - (c) owes the Inuit nothing less than its full commitment to doing the best job it can; and
  - (d) has an obligation to help build pride in the Nunatsiavut Government and to respect the dignity and diversity of its members and their health and safety.
- (2) Employees have a duty to make efficient, economic and effective use of Nunatsiavut Government resources for which they are responsible or that are entrusted to them.

- (3) Employees must ensure that all property in their personal care as part of their job is properly secured and protected at all times. Property includes cash, cheques, documents, inventories, computers, computer programs and equipment.
- (4) Employees must handle sensitive and confidential information with care and disclose it only in accordance with the Nunatsiavut Government's laws and policies on privacy and confidentiality of information.
- (5) Employees must use all Nunatsiavut Government property and financial resources for the purpose for which they are intended.
- (6) Employees must carry out all their dealings with Members of the Nunatsiavut Assembly, members of the public and co-workers in a professional, polite and courteous manner and in accordance with established Nunatsiavut Government policies.
- (7) Employees must recognize that they are the public face of the Nunatsiavut Government and so maintain neat, clean and orderly offices and workstations and a neat and presentable personal appearance with dress and active wear to reflect the nature of their position.
- (8) Employees must foster an atmosphere of collegiality and support co-workers in their work.
- (9) Employees must devote themselves fully to their jobs during working hours and must not, during working hours, engage in personal activities such as reading materials not related to work, surfing the internet, communicating with friends in person, by phone or e-mail, or on social media.
- (10) Employees must assist the Nunatsiavut Government to provide a healthy, safe and comfortable working environment for all of its Employees.
- (11) Without limiting subsection (10) Employees must:
  - (a) maintain all Nunatsiavut Government buildings and entrances as smoke-free workplaces;
  - (b) not introduce flammable or hazardous materials to the workplace;
  - (c) maintain their workstations and offices in a sanitary and hygienic condition; and
  - (d) prevent the accumulation of materials in and around exits, entrances and stairs.
- (12) Employees must not:
  - (a) download or install personal software on Nunatsiavut Government computer systems without prior written consent from the Director of Information Technology;
  - (b) manipulate, falsify, alter or amend documents, information or records for fraudulent purposes; or

- (c) access, distribute or display inappropriate material, including sexually explicit, discriminatory, abusive, defamatory or obscene material in the workplace or using Nunatsiavut Government property, including the Nunatsiavut Government's computers and computer network.

## **Accountability**

### **22.**

- (1) Employees are expected to be accountable for their actions and omissions and will be held accountable for their actions and omissions.
- (2) Employees must:
  - (a) be proud to do their work in accordance with the principles and standards set out in this Civil Service Code of Conduct;
  - (b) understand that breaches of this Code will erode the reputation and integrity of the Nunatsiavut Civil Service and the Nunatsiavut Government; and
  - (c) understand that breaches of this Code shall be subject to disciplinary action, up to and including summary dismissal for serious or repeated breaches.
- (3) Employees must know the Code, comply with its principles and requirements and make observance of the Code part of their daily work.
- (4) Employees must keep records of important decisions.
- (5) Employees must disclose breaches of the Code immediately, whether the breach is committed by himself or herself or by a co-worker.
- (6) Employees must fully cooperate with investigations into breaches of this Code and into alleged wrongdoing.
- (7) An Employee must appear before the Nunatsiavut Assembly or a committee of the Nunatsiavut Assembly when required to do so.
- (8) An Employee who, without good reason, fails or refuses to appear before the Nunatsiavut Assembly or a committee of the Nunatsiavut Assembly after having received notice to do so, may be summarily dismissed from office.
- (9) An Employee who contravenes this Civil Service Code of Conduct is liable to disciplinary action in accordance with the regulations, policies and procedures of the Nunatsiavut Government.

## **Questions about the Civil Service Code of Conduct**

**23.**

If an Employee has questions or doubt about the meaning, intent or effect of this Civil Service Code of Conduct the Employee must seek interpretation of the Code from the Deputy Minister responsible for Human Resources and the Director of Legal Services.

## **Duty to Report and Whistleblower Protection**

**24.**

- (1) Employees must not assume that violations of this Code are someone else's responsibility or problem and all Employees have a duty to report knowledge of:
  - (a) any situation that might adversely affect the Nunatsiavut Government's reputation or the reputation of the Nunatsiavut Civil Service;
  - (b) a violation of this Civil Service Code of Conduct or other Nunatsiavut Government law or policy by an Employee;
  - (c) a conflict of interest on the part of an Employee;
  - (d) an incident of harassment by or of an Employee; or
  - (e) an improper practice by an Employee.
- (2) For purposes of subsection (1) "improper practice" includes any illegal, fraudulent, dishonest, negligent, unsafe, improper or unethical action or omission.
- (3) An Employee who makes a report under subsection (1) must make the report in writing to his or her supervisor or manager, the Director of Human Resources or the Director of Legal Services.
- (4) No Employee may be disciplined for making a report in good faith under subsection (1).
- (5) The Nunatsiavut Government will not tolerate any retaliation against an Employee who has made a report under subsection (1) or participated in an investigation and an Employee who retaliates against an Employee who has made a report under subsection (1), a witness to the conduct or incident, or an individual who has participated in an investigation must immediately be suspended and may be summarily dismissed.
- (6) An Employee making a false or unsubstantiated report under subsection (1) or false or unsubstantiated accusations about a violation of this Code of Conduct or other Nunatsiavut Government policy will be disciplined.

## **Implementation and Additional Rules of Conduct**

**25.**

- (1) The Minister shall ensure that this Civil Service Code of Conduct is implemented and may, in accordance with the *Civil Service Act*, enact such regulations, including regulations regarding disciplinary action, as the Minister may consider necessary and advisable for purposes of implementing this Civil Service Code of Conduct.
- (2) Nothing in this Civil Service Code of Conduct prevents the Minister from establishing additional rules of conduct, policies and procedures or issuing directives that the Minister considers necessary and advisable in order to realize the values set out in section 6.2.1 of the Constitution.