



Code of Conduct

Office of Values and Ethics

Version: January 2018

PROTECTION SERVICE INTEGRITY INT
GRITÉ **PROTECTION** SERVICE INTEGRIT
INTÉGRITÉ PROTECTION **SERVICE** INTEC
RITY INTÉGRITÉ PROTECTION SERVICE
INTEGRITY INTÉGRITÉ PROTECTION SE
VICE INTEGRITY INTÉGRITÉ PROTECTION
SERVICE INTEGRITY INTÉGRITÉ PROTEC
TION SERVICE INTÉGRITÉ PRO
TECTION SERVICE INTÉGRITÉ
PROTECTION SERVICE INTÉGRITÉ
GRITÉ PROTECTION SERVICE INTÉGRIT
INTÉGRITÉ PROTECTION SERVICE INTEC
RITY INTÉGRITÉ PROTECTION SERVICE
INTEGRITY INTÉGRITÉ PROTECTION SE
VICE INTEGRITY INTÉGRITÉ **PROTECTION**
SERVICE INTEGRITY INTÉGRITÉ PRO
CTION SERVICE INTEGRITY **INTÉGRITÉ** SE
VICE INTEGRITY INTÉGRITÉ PROTECTION



PROTECTION • SERVICE • INTEGRITY



Code of Conduct

This revised CBSA *Code of Conduct* came into force on September 5th 2012.

Message from the President and the Executive Vice-President

As employees of the CBSA, we are guided in our day-to-day work by our shared values of Integrity, Respect, and Professionalism as described in this *Code of Conduct*. The Code gives us the guidance we need to incorporate values and ethics in all that we do. It clarifies our responsibilities and describes the standards of conduct expected from CBSA employees.

The Code fulfills the requirement of section 6 of the [Public Servants Disclosure Protection Act](#) and accompanies the [Values and Ethics Code for the Public Sector](#) and the [Policy on Conflict of Interest and Post-Employment](#). These directives are binding on all CBSA employees and new recruits.

The CBSA is a large and diverse organization and the Code applies across the full extent of our activities inside, and at times, outside the workplace. However, it cannot address all ethical issues that may arise in the course of our work. Every effort is made to keep the Code current and to maintain its relevance in our workplace. The guide that accompanies the Code is regularly updated, and a [record of changes](#) is published on Atlas.

In your professional life, there may be instances when you are faced with ethical uncertainty. In addition to consulting this Code, you are encouraged to seek guidance regarding the situation from your supervisor and management.

Canadians expect that the people charged with securing the national border perform their duties with integrity. The CBSA *Code of Conduct* helps us realize that goal by guiding our actions and decisions in the course of our day-to-day work.

John Ossowski
President

Tina Namiesniowski
Executive Vice-President



TABLE OF CONTENTS

Chapter 1: Values and Expected Standards of Conduct	6
The Role of Federal Public Servants	6
The Role of Ministers	6
Our Mandate	6
Our Charter	6
A. Our Values.....	8
Respect.....	8
Integrity.....	9
Professionalism	10
B. Accountability and Professional Conduct	11
C. Leadership Conduct	12
D. Expected Standards of Conduct.....	13
1. Terms and Conditions of Employment	13
1.1. Hours of Work	13
2. Appearance and Hygiene.....	13
3. Social Media.....	14
4. Private, Off-Duty Conduct and Outside Activities	15
5. Public Comments and Criticisms.....	17
5.1. Publicly Commenting for the CBSA	17
5.2. Public Criticism of the CBSA and/or the Government of Canada.....	17
6. Electronic Network Access and Uses	18
7. Care and Use of Government Property and Assets	19
7.1. Badges, Official Identification and Officer or Office Stamps.....	20
7.2. Intellectual Property.....	20
7.3. Returning Property and Assets When Reassigned or Leaving the Job	20
8. Confidentiality and Disclosure of Information.....	21
8.1. Providing Information or Testimony	22
9. Harassment and Discrimination.....	22
10. Contact with the Public.....	23
11. Contact With the People We Work With.....	25
12. Neglect of Duty	25
13. Safety and Security	25
14. Use of Personal Electronic Devices at Work	26
15. Consumption of Intoxicants, Illegal Drugs and Smoking	26
16. Financial Matters	27
16.1. Borrowing or Lending Money.....	27
16.2. Care of Money, Credit Cards and Items Having a Financial Value	27
16.3. Endorsing Cheques	27
16.4. Illicit Gambling.....	27
16.5. Legal Provisions and Fraud	28
17. Unions and Similar Employee Associations	28
Chapter 2: Conflict of Interest and Post-Employment	29
A. Definitions.....	29
B. Prevention of Conflict of Interest	30



C. General Responsibilities and Duties.....	30
D. Conflict of Interest During Employment:.....	31
1. Personal Assets	31
2. Outside Employment or Activities	32
3. Political Activities	32
4. Gifts, Hospitality and Other Benefits	34
4.1. Acceptance	34
4.2. Situations Where it May be Impossible to Decline a Gift, Hospitality, Other Benefit	35
4.3. Honoraria.....	35
4.4. Travel Offers From a Third Party	35
5. Solicitation and Fundraising.....	36
6. Avoidance of Preferential Treatment	36
6.1. Relationship/Partnership with External Stakeholders	36
6.2. Reporting Relationships.....	37
E. Conflict of Interest Before and After Leaving Employment	37
1. Post-Employment Limitation Period When in Designated Positions.....	37
2. Waiver or Reduction of Limitation Period	38
F. Resolution.....	38
G. Consequences	39
Chapter 3: Disclosure of Information Concerning Wrongdoing in the Workplace	40
Chapter 4: Disciplinary Measures and Resolutions of Issues Pertaining to the Code of Conduct	42
Appendix.....	43
Contacts.....	43
Office of Values and Ethics	43
Senior Officer for Internal Disclosure (SOID)	43
The Office of the Public Sector Integrity Commissioner.....	43
Personnel Security and Professional Standards	43
Designated Political Activities Representative (DPAR)	43
Informal Conflict Management System (ICMS)	43
Employee Assistance Program.....	44
Other Resources	44
Reference Documents.....	44
CBSA Act, Policies, Directives and Resources	44
Acts and Regulations.....	45
Treasury Board Secretariat Policies and Resources.....	45
Other Resources	45



Chapter 1: Values and Expected Standards of Conduct

The Role of Federal Public Servants

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

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

The Role of Ministers

Ministers are also responsible for preserving public trust and confidence in the integrity of management and operations within public sector organizations, and for respecting the tradition of a professional non-partisan federal public sector. Furthermore, Ministers play a critical role in the ability of public servants to provide professional and frank advice.

Our Mandate

The Agency is responsible for providing integrated border services that support national security and public safety priorities and facilitate the free flow of persons and goods, including animals and plants that meet all requirements under the program legislation.

Our Charter

Protection • Service • Integrity

Mission

The Canada Border Services Agency works to ensure Canada's security and prosperity by managing the access of people and goods to and from Canada.

Vision

An integrated border agency that is recognized for service excellence in ensuring Canada's security and prosperity.



Our Workforce

We work with vigilance at the border, within Canada and abroad, providing the services necessary to help keep our nation safe and prosperous. Born of the rich history that is our legacy, we are proud to protect and serve Canadians and are confident in our ability to meet new challenges.

We are united in our resolve to carry out our diverse mandate and enforce the laws of Canada with impartiality and fairness.

As leaders and innovators in border management, we value our strong domestic and international partnerships and are dedicated to working together on critical safety, security and trade issues.

We rise to the challenges we face each day, and take pride in knowing that the work we do makes a difference in the lives of Canadians while contributing to global security and commerce.

Our Commitment to Service Excellence

- Respect and courtesy
- Bilingual service
- Fair application of the law
- Accurate information
- Privacy and confidentiality
- Review of our actions and decisions



A. Our Values

Values are a compass that guides us in everything we do; they represent what we believe and care about. Values cannot be considered in isolation from each other as they often overlap. We are expected to integrate public sector and CBSA values into our decisions, actions, policies, processes, systems, and how we deal with others. Similarly, we can expect to be treated in accordance with these values by our colleagues and management.

Consult: [Values Alive: A Discussion Guide to the “Values and Ethics Code for the Public Sector”](#).

Respect

Our Public Sector Values

Respect for Democracy

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

Respect for People

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

Our CBSA Values

Respect

We serve the public interest through non-partisan support of our Minister.

We show the utmost appreciation for the dignity, diversity and worth of all people and uphold the [Canadian Charter of Rights and Freedoms](#).

We develop and sustain mutual trust with our colleagues.

Our Values in Action

We uphold the Canadian parliamentary democracy and its institutions by:

- aligning our efforts, energy and expertise with the Government of Canada and CBSA's priorities;
- enacting the lawful decisions of leaders and carrying out duties in accordance with the Agency's policies and directives; and



- providing impartial, objective and factual information, advice and support in a timely manner to further Agency objectives.

We respect human dignity and the value of every person by:

- providing conscientious and equitable service to all colleagues, clients, partners and stakeholders regardless of race, national or ethnic origin, colour, political belief, religion, family status, physical or mental ability, sex, gender identity or expression, sexual orientation, genetic characteristics, age or economic and social status;
- recognizing the talents and contributions of members of our diverse workforce;
- delivering on our commitments;
- listening to others, seeking to understand their position and behaving in a just, courteous and reasonable manner; and
- maintaining collaborative working relationships through honest and positive communications free from harassment and discrimination.

Integrity

Our Public Sector Values

Integrity

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

Our CBSA Values

Integrity

We exercise our authority in an honest, open and fair manner.

We accept responsibility for our actions in order to build and maintain a reputation of trustworthiness and accountability.

Our Values in Action

We serve the public interest by:

- making decisions and behaving in ways that maintain public confidence and preserve CBSA's reputation in light of its high visibility;
- refraining from using our official roles, the Agency's property or assets, and non-publicly accessible information to gain personal advantage or to advantage or disadvantage others;
- ensuring that our off-duty and private activities and our private financial affairs do not conflict with our official duties; and



- refraining from making derogatory comments regarding the Agency, its employees (including its managers) or the Government of Canada, especially in public spaces.

Professionalism

Our Public Sector Values

Stewardship

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

Excellence

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

For more information on environmental stewardship, consult [Achieving a Sustainable Future: a Federal Sustainability Development Strategy for Canada](#).

Our CBSA Values

Professionalism

We employ public resources wisely and properly.

We provide efficient, competent and excellent service.

We set high standards of achievement and accountability both individually and collectively.

Our Values in Action

We use resources responsibly by:

- ensuring the use of CBSA's resources is efficient, effective, approved and accounted for;
- avoiding waste and misuse of the Agency's money, property and resources; and
- safeguarding confidential information, sharing knowledge only as appropriate, and making every effort to prevent security risks.

We demonstrate professional excellence by:

- providing quality service that respects Canada's official languages in accordance with [Our Service Commitment](#);
- adapting to changing needs and being innovative to improve our programs and services;
- being reliable and committed to working collaboratively with our colleagues; and
- addressing inappropriate behaviour with our colleagues where possible, and reporting serious misconduct to management, in order to build and maintain trust and accountability.



B. Accountability and Professional Conduct

Whether uniformed, non-uniformed, armed or unarmed, as CBSA employees (including managers and employees who are indeterminate, part-time, term, casual, on leave without pay, students, working for our Agency by means of a secondment/assignment or through an Interchange Canada agreement, and new recruits) we are responsible for acting at all times in such a way as to uphold the public interest and for exhibiting conduct in keeping with the [Values and Ethics Code for the Public Sector](#) and the CBSA Code of Conduct. These two Codes, along with the [Policy on Conflict of Interest and Post-Employment](#) (Policy), collectively form a part of our terms and conditions of employment.

We recognize that CBSA's policies, standards, procedures and practices provide the boundaries within which we demonstrate professional conduct with respect and integrity. Additionally, we ensure that our conduct does not violate the [Criminal Code](#), the [CBSA Act](#) or any of the laws, rules and regulations administered by the Agency. As professionals, we protect the Agency's reputation and its internal and external stakeholder and law enforcement partner relationships in our decisions and actions. **We understand that an action or inaction on our part that is not in keeping with these laws, rules and regulations, Codes, and the Policy is considered misconduct and will entail CBSA disciplinary measures up to and including termination of employment.**

For more guidance, consult [Chapter 4: Disciplinary Measures and Resolutions of Issues Pertaining to the Code of Conduct](#).

As employees we are expected to take reasonable steps, where possible and where there is no personal risk, to address behaviour that is not in keeping with the spirit or intent of either Code and/or the Policy. Examples of such steps include:

- reminding colleagues of their obligations under the two Codes and the Policy;
- exploring options with the CBSA's Office of Values and Ethics and the [Resources](#) posted on Atlas; and
- reporting the situation to our manager.

As **managers** we ensure that all employees under our responsibility are familiar with the contents of the [Values and Ethics Code for the Public Sector](#), the [Policy on Conflict of Interest and Post-Employment](#) and the CBSA Code of Conduct, and that they are informed that the Codes and Policy are a part of each employee's terms and conditions of employment. We are also accountable for consistently addressing inappropriate behaviour and/or performance issues in a timely manner and applying reasonable measures to address breaches of either Code and/or the Policy.

Clarification: Recruits are bound by this Code and the [Values and Ethics Code for the Public Sector](#).

We ask contractors and service providers to respect the spirit and intent of the CBSA Code of Conduct, the [Values and Ethics Code for the Public Sector](#), and the [Policy on Conflict of Interest and Post-Employment](#).

Clarification: Inappropriate behaviour includes, but is not limited to:

- chronic lateness;
- general rudeness;
- insubordination;
- failure to abide by appearance standards and/or policies;
- general poor work attitude;
- malicious gossip; and
- inattentiveness or sleeping on-the-job.

Clarification: Serious misconduct includes, but is not limited to:

- theft;
- assault;
- criminal activities or associations;
- fraud;
- excessive use of force or aggression;
- improper storage or handling of defensive equipment;
- founded client complaints that could attract negative media attention; and
- misuse of information technology.



CAUTION

If we witness serious misconduct we will promptly report this to our manager. Managers will promptly refer cases of serious misconduct to [Security and Professional Standards](#) so that they can be addressed, and senior management is made aware and can appropriately respond to emerging trends.

For more information on serious misconduct, consult the [Policy on Internal Investigations into Alleged or Suspected Employee Misconduct \(PDF, 334\)](#) or contact [Security and Professional Standards](#) for clarification.

When we have reasonable grounds to believe that a public servant has committed or is about to commit a wrongdoing in the workplace, under the [Public Servants Disclosure Protection Act](#) (PSDPA), we have three options to disclose this information. Our identity will be protected, and we will be afforded protection against reprisal, when we report wrongdoing using any of these three options:

1. We can talk to our manager.
2. We can disclose this information to the [CBSA Senior Officer for Internal Disclosure \(E-mail\)](#).
3. We can disclose this information to the [Public Sector Integrity Commissioner](#).

For more guidance, consult [Chapter 3: Disclosure of Information Concerning Wrongdoing in the Workplace](#).

Clarification: In order to respect the confidentiality of CBSA's Employee Assistance Program (EAP) and in accordance with the EAP Guidelines, coordinator-counsellors and referral agents, while in the performance of their duties as agents of the EAP, are not required to report information related to an actual or potential serious misconduct or wrongdoing unless there is a significant and imminent risk of harm to an individual or individuals.

C. Leadership Conduct

We are all ethical leaders whether we are uniformed, non-uniformed or armed employees; we act as models for others. Ethical leadership entails exploring, seeking to understand, and making ethical judgments in all situations before acting by:

For more information on specific leadership competencies, consult the CBSA's [Leaders' Profile](#).

- taking into consideration our own health, safety and security and that of our colleagues;
- recognizing that the Agency in its accountability to the Government of Canada ensures the security and prosperity of Canadians through our collective decisions and actions.

Therefore, more experienced employees and managers, at all levels, have a special role in consistently modeling the expected standards of behaviour outlined in the *Code of Conduct* for new employees, recruits and other CBSA employees. They:

- maintain open, positive communications and working relationships;
- recognize the contributions of, and support, newer employees and recruits; and
- foster learning by being approachable and offering advice and guidance, when appropriate.



D. Expected Standards of Conduct

The following section outlines in general terms the **minimum** expected standards of conduct to be followed by all CBSA employees and all recruits whether uniformed, non-uniformed or armed. Every employee and recruit is required to become familiar with the expected standards of conduct, understand their meaning, seek guidance when required, and make judgments on the possible present and long-term consequences of their actions before deciding how to act. Guidance can be sought from experienced colleagues, our managers or [Resources](#) posted on Atlas.

Clarification: All standards require you to interpret their meaning within a context. They preserve a value or a series of values. For example, the speed limit standard preserves the value of safety. So, in the context of bad weather conditions, you tend to slow down to keep you and others safe.

The expected standards of conduct will naturally evolve over time in keeping with new developments and changes to the services that CBSA provides.

1. Terms and Conditions of Employment

Our CBSA value of **Professionalism** reminds us of our obligation to observe the terms and conditions of employment contained in our letter of offer, our collective agreement, as well as those set out in CBSA and Treasury Board policies.

1.1. Hours of Work

As professionals, we demonstrate reliability by complying with the work hours and rest periods prescribed in the collective agreement. This includes being **ready and able to work at the start of our work period**, remaining on duty or at work until we are relieved or when we reach the end of our scheduled hours, and being accountable to our colleagues, clients and stakeholders.

We follow established procedures when requesting a change in our regular work schedule (e.g. leave request, early departure, or change in our break or meal periods). We use sick leave only for its intended purpose. **In the case of absences from work because of illness or an emergency**, we provide explanations to our manager and inform him or her in advance when we expect to return to work.

Tip: At CBSA “business casual” may be defined as:

A collared shirt (e.g. dress shirt or golf shirt) or top/blouse that should be conservative.

Skirts and dresses must be no shorter than 3” above the knee.

Pants/slacks should be of a dress pant material, typically not solely Lycra or Spandex (i.e. not athletic wear).

Generally: Shirts with logos or a design must be conservative so as to not negatively affect the professional image of the CBSA.

2. Appearance and Hygiene

Our CBSA value of **Professionalism** includes how we present ourselves to clients, stakeholders, the public, and our colleagues inside and outside the CBSA, including law enforcement partners. Our appearance and dress reflect the professional image of the CBSA and the public service.

The [CBSA Uniform Policy and Standards of Appearance](#) outlines a very high standard of dress and appearance for our **uniformed staff**. It describes appearance standards consistent with the operational needs of the Agency and the expectations of the Canadian public.



For **non-uniformed staff**, our professional dress and appearance depend upon the duties we perform and are especially important when we are serving the public. We rely upon our common sense and good judgment and recognize that, at minimum, we always present ourselves in a neat, clean, and well-groomed manner that does not interfere with the work performance of others.

For **all employees**, we use fragrances sparingly bearing in mind the environmental sensitivities of many individuals and we ensure that our hygiene minimizes unpleasant body odours.

Managers are responsible for communicating the importance of appearance as a component of professionalism in the workplace. From time to time, managers may need to clarify and provide guidance on what is considered appropriate (or not appropriate) dress in the workplace given employees' responsibilities (e.g. specific job duties, level of interaction with the public, etc.).

In terms of decisions that consider environmental stewardship, consult [Sustainable Development](#).

3. Social Media

Our CBSA value of **Professionalism** involves our continued efforts to improve our programs and services and to consider the present and long-term effects our actions have on people and the environment. This consideration extends to using social media for enforcement, investigation, recruitment, services to the public, stakeholder education, raising the Agency's profile, outreach, and as a collaborative and consultative tool.

Clarification: Social media include, but are not limited to: Facebook, Twitter, YouTube, LinkedIn, Flickr, blogs, Wikipedia, Google docs or any other tool or device that allows for participatory multi-way information sharing, dialogue, and user generated content.

While there are many benefits to using social media, there are also potential risks and challenges. **As professionals, we must bear in mind that social networks are public fora, and that comments and behaviour on these fora become a part of the public record.**

Consult the CBSA's [Directive on Engaging the Public Through Social Media](#), the [Directive on the Appropriate Use of Electronic Mail \(E-mail\) \(PDF, 395 KB\)](#), the [Guidelines for the Directive on the Use of Wireless Technology](#) and the [Directive on the Use of Web 2.0 Tools and Services](#).

Our CBSA value of **Respect** encompasses our duty of loyalty to the Agency.

Therefore, we use sound judgment to ensure that our personal and professional use of social media does not compromise the Agency's reputation, its protected information, or our working relationships with our colleagues, stakeholders and clients.

Also consult the Treasury Board Secretariat's [Guideline on Acceptable Network and Device Use](#) and the CBSA's guidelines on the use of [LinkedIn](#).

When commenting in social media fora:

- we are mindful of our duty of loyalty and remain non-partisan;
- we refrain from disparaging the Agency, its employees (including managers) and the Government of Canada;
- we refrain from discussing work-related issues, problems or matters; and
- we recognize that only authorized spokespersons can issue statements or make comments about CBSA's position on a given subject.

Consult the short, online video: [Social Media at Work](#) available on GCPedia. Developed by the Treasury Board Secretariat and Transport Canada.



We must exercise caution when posting pictures, videos and information in social media fora. For example, we take into consideration the Agency's reputation, including its internal and external working relationships; the absolute confidentiality of customs, [Immigration and Refugee Protection Act](#) (IRPA), corporate or trade information and information on individuals collected in the course of our duties; and the possible risks to the safety of individuals and colleagues identified in social media fora.

For more guidance, consult the following specific sections:

- [4. Private, Off-Duty Conduct and Outside Activities](#)
- [5. Public Comments and Criticisms](#)
- [6. Electronic Network Access and Uses](#)
- [7. Care and Use of Government Property and Assets](#)
- [8. Confidentiality and Disclosure of Information](#)
- [9. Harassment and Discrimination](#)
- [10. Contact with the Public](#)
- [11. Contact with the People We Work With](#)
- [14. Use of Personal Electronic Devices at Work](#)
- [16. Financial Matters](#)

Our CBSA value of **Integrity** includes maintaining the public's confidence in our Agency. Therefore, when using social media for personal and professional use, we use the same criteria and good judgment as would be applied to any other conflict of interest area.

For more guidance, consult [Chapter 2: Conflict of Interest and Post-Employment](#).

4. Private, Off-Duty Conduct and Outside Activities

Our CBSA values of **Respect**, **Integrity** and **Professionalism** guide us throughout our work day. They can also extend to our private time. This is especially true in terms of engaging in outside activities on social media fora, outside employment, and political activities. We understand that our outside activities and off-duty conduct are usually private matters. They could become work-related matters, however, if they have negative consequences on the Agency. **We avoid such activities, which may include those that:** reflect negatively on the Agency, its employees (including its managers) or its programs;

- render us unable to perform a requirement of our duties;
- lead other employees to refuse, be reluctant or be unable to work with us;
- render us guilty of a breach of the [Criminal Code](#); and
- make it difficult for the Agency to manage its operations efficiently and/or to direct its workforce.

We also avoid activities that place us or the Agency at risk by knowingly associating, outside of our official duties, with individuals or groups who are believed or suspected to be connected with criminal activities.

Examples of Misconduct:

- External posting of online photos of a uniformed employee; travellers; seizures; CBSA logos, equipment, and facilities.
- Making comments on Facebook indicating that you are an armed officer.
- Texting friends messages that criticize managers.
- Expressing personal views on an Agency policy on personal or public blogs.
- Using official identity to get a discount for a personal item on an online store.
- Tweeting answers to official exam questions.
- Uploading videos on YouTube depicting travellers, co-workers and/or any of the Agency's operations.

Clarification: Off-duty can be defined as any time when we are not under the employer's responsibility.

Clarification: If we are on our way to work or on a lunch break, and can be visibly identified as a CBSA employee, e.g. in uniform or displaying an I.D., the public does not know that we are off-duty. Their confidence in the Agency depends upon our professionalism on and off-duty.



CAUTION

We are not permitted to do anything illegal or contrary to the [Criminal Code](#), the [CBSA Act](#), or any legislation or regulation enforced by the Agency. **In the unlikely event of being arrested, detained or charged**—in Canada or outside Canada—with a violation of laws or regulations, **we will immediately report this incident to our manager**. This includes minor incidents, such as a traffic violation or Highway Code violation ticket received while using a government-owned or leased vehicle. We must also **report to our manager, any contact or associations we have with known or suspected criminals outside our official duties**, so that we can protect ourselves and the Agency.

For specific guidance on **outside employment** and other activities, consult [Chapter 2, section 2. Outside Employment or Activities](#).

For specific guidance on **political activities**, consult [Chapter 2, section 3. Political Activities](#).

For more guidance, consult the following specific sections:

- [3. Social Media](#)
- [5. Public Comments and Criticisms](#)
- [6. Electronic Network Access and Uses](#)
- [8. Confidentiality and Disclosure of Information](#)
- [9. Harassment and Discrimination](#)
- [10. Contact with the Public](#)
- [11. Contact with the People We Work With](#)
- [14. Use of Personal Electronic Devices at Work](#)
- [16. Financial Matters](#)

Additional information can also be found in: [Chapter 2: Conflict of Interest and Post-Employment](#) and [Chapter 4: Disciplinary Measures and Resolutions of Issues Pertaining to the Code of Conduct](#).

Examples of off-duty misconduct:

- Criticizing our colleagues and/or managers in public spaces such as on social media fora
- Associations with known criminal elements.
- Drinking alcohol before reporting to work.
- Use or possession of illegal drugs.
- Unauthorized use of government property or assets when not on-duty.
- Breaching the Code of Conduct while on leave without pay (LWOP).

Examples of criminal associations:

To protect ourselves, our colleagues, and the Agency against significant risks, situations that should be reported to our manager include, but are not limited to:

- A friend, personal acquaintance or a family member who has a criminal record or is involved in criminal activities.
- Being offered a benefit (e.g. reward or money) from an individual to assist in moving people or goods across the border or to disclose protected information.
- Being approached by a known or suspected criminal in a social setting (e.g. party, event, bar, etc.).



5. Public Comments and Criticisms

Our CBSA value of **Respect** encompasses our duty of loyalty to our Agency and the Government of Canada. We act respectfully by discussing issues, problems or matters internally and not in public fora. Once a decision has been taken, we support it and follow through.

5.1. Publicly Commenting for the CBSA

We acknowledge that only authorized spokespersons can issue statements or make comments about the CBSA's position on any given subject. We take caution when making comments in public spaces (including on social media fora) when referencing the CBSA, so as not to be misconstrued as representing an Agency position. If we are asked for the CBSA's position on an issue, we refer all inquiries, through our manager, to the [CBSA national or regional spokespersons](#).

5.2. Public Criticism of the CBSA and/or the Government of Canada

We refrain from making public criticisms of the CBSA and/or the Government of Canada including posting critical comments on social media fora.

Furthermore, we know that the duty of loyalty is not absolute and public criticism may be justified in certain limited circumstances.

Tip: When balancing our right to freedom of expression with the importance of duty of loyalty to our employer and impartiality of the public service, we should consider the following:

1. the nature of our official duties;
2. the visibility of our position within the Agency and the public service;
3. the object of the criticism or public statements i.e. is it critical of a policy, direction or program of CBSA? Of another department?; and
4. the impact of our action and/or criticism i.e. could put into question our impartiality or objectivity as a CBSA employee? As a public servant?



CAUTION

CBSA employees must exercise caution to ensure that their public statements:

- do not undermine or compromise the integrity or security of CBSA operations, its employees or national security;
- do not impair or conflict with their ability to carry out their duties;
- do not call into question their impartiality in carrying out their duties; and
- do not impair the ability of the CBSA to carry out its mandate.

If in doubt, you are strongly encouraged to discuss the matter with your manager. **You should use internal means to bring any criticisms you may have to the attention of CBSA management.**



6. Electronic Network Access and Uses

Our CBSA value of **Professionalism** includes the manner in which we use the tools of our trade including computerized systems, equipment and software. As professionals we make every effort to protect the CBSA from any possible threats to security by, in particular:

- guarding against accidental or deliberate destruction of data and equipment; disclosure of sensitive information, access identification and system passwords; theft and corruption; and exposure to viruses;
- following the CBSA's policies and procedures regarding the access restrictions to data banks including computer-based detection systems and the posting of information;
- following the CBSA's policies and procedures regarding the purchase and use of software and other systems, including complying with security restrictions; and
- reporting any breach of computer security, policies and standards to your manager.

As professionals, we recognize that CBSA's computer systems and those of external agencies accessed via the CBSA's network, software, equipment, networks, Internet, intranet, E-mail, smart phones, tablets and any other electronic devices are used only for authorized business purposes.

We limit personal use of the Internet, intranet and E-mail and comply with all related legislation, policies and guidelines. We ensure that our personal use does not affect our productivity or that of our colleagues, and imposes no storage burden on the CBSA computer systems. Examples of acceptable limited personal use include professional activities, career development, or reading or writing brief E-mails after hours or during break periods.

For more information, consult the Treasury Board Secretariat's [Policy on Acceptable Network and Device Use](#), the CBSA's [Policy on the Use of Electronic Resources](#), the [Guidelines for the Policy on the Use of Electronic Resources \(PDF, 440 KB\)](#), and the [Directive on the Appropriate Use of Electronic Mail \(Email\) \(PDF, 396 KB\)](#).

Examples of misconduct:

- Using CBSA systems, including computer-based detection systems, to obtain sensitive information for personal uses (e.g. using a license plate number to obtain information about someone we know).
- Using a CBSA E-mail account to conduct outside business and/or employment activities.
- Querying a CBSA database to gather information related to a private business competitor.



CAUTION

Examples of professional misconduct related to the use of electronic networks that are offences under the [Criminal Code](#) include, but are not restricted to:

- knowingly viewing, downloading, possessing or distributing child pornographic images or material;
- communicating images, material or e-mails containing offensive language or inappropriate comments that are likely to injure the reputation of any person by exposing that person to hatred, contempt or ridicule, or that are designed to insult the person;
- infringing copyright; and
- hacking and trying to defeat the security features of electronic networks.

In compliance with the [Criminal Code](#), authorized officers may access restricted sites when conducting authorized investigations or intelligence probes or when researching and developing CBSA-sanctioned training material.

For more guidance, consult the following specific sections:

[3. Social Media](#)

[5. Public Comments and Criticisms](#)

[7. Care and Use of Government Property and Assets](#)

[8. Confidentiality and Disclosure of Information](#)

[9. Harassment and Discrimination](#)

[10. Contact with the Public](#)

[11. Contact with the People We Work With](#)

7. Care and Use of Government Property and Assets

Our CBSA value of **Professionalism** encompasses our effective and efficient use of the Agency's property and assets when conducting official duties. As professionals we demonstrate our CBSA value of **Integrity** by using government property and assets only in our official duties and never for personal gain or use.

We seek authorization from management before we use property, equipment, materials, vehicles or facilities purchased, used or leased by the Agency for reasons other than official purposes. This includes, but is not restricted to: vehicles, buildings, space, premises, facilities, uniforms, files and documents, office equipment and supplies, computers, software, video equipment, telecommunications devices such as smart phones, government credit cards, telephone calling cards and defensive equipment like pepper spray, handcuffs, batons and duty firearms.

Clarification: When on travel status and you are pre-approved to use an Agency-owned or leased vehicle, the vehicle may be used for other work-related activities such as stopping for meals, grocery shopping, banking, etc. Note that you cannot use the vehicle to transport non-business related travellers as there are insurance implications. For more information, please visit the [CBSA's Travel Directive, Section 1, Administration, 3.6 - Vehicle Insurance \(PDF, 916 KB\)](#) of the [Comptrollership Manual – the Finance Volume](#) and familiarize yourself with [Part II – Insurance](#) of the National Joint Council



We account for and protect any and all government property and assets that we possess or control. If any item is lost, stolen or damaged, we immediately report the incident to our manager.

For more guidance, consult [section 8. Confidentiality and Disclosure of Information](#).

7.1. Badges, Official Identification and Officer or Office Stamps

As professionals, we understand that badges, official identification, officer or office stamps or other security documentation have been issued to assist and identify CBSA employees in the performance of their duties. Therefore, we use them only for the purposes for which they were intended. We display a government identification card when we are on government premises and when we are asked to identify ourselves as a government representative.

We do not use our job title, official identification, badge or any other official document (whether on or off-duty, personally or professionally, or when engaging in social media activities) for a purpose that is illegal, improper or against the best interests of the CBSA.

We never use a colleague's official identification, badge, stamp, user identification number or password. We do not use any of our Agency identification to obtain or appear to obtain any privilege or favour for ourselves or others. Exceptions include Agency approved commercial organization discounts, e.g. fitness memberships, or other discounts that are authorized by our manager.

For more guidance, consult [section 3. Social Media](#) and [Chapter 2: Conflict of Interest and Post-Employment](#).

In the event that a badge, stamp or official identification is lost, stolen or damaged, we immediately report the occurrence to our manager and file a security incident report. Also, if we are temporarily or permanently reassigned and our new functions do not require the use of a badge, stamp or official identification, we return them to our manager.

For more information, consult [Standard for Controlled Assets \(PDF, 494 KB\)](#).

For more information, consult the [Standard for Access Control \(PDF, 459 KB\)](#) and the [Guidelines for Identification \(ID\) Cards \(PDF, 858 KB\)](#).

For uniformed employees, consult [CBSA Uniform Policy and Standards of Appearance](#).

Examples of misconduct:

- Flashing an official badge at the border to gain a personal advantage.
- Using our official title to obtain a personal discount in an online store.
- Using a government vehicle to move privately-owned furniture.
- Using a Government of Canada credit card to buy personal items.

7.2. Intellectual Property

Anything we create, design, develop or produce as part of our job, even if we or any other person have improved or modified it outside working hours, becomes the property of CBSA and the Government of Canada. We therefore cannot market or sell any of this property. We recognize that the [Copyright Act](#) protects the CBSA identifiers (such as badges, logos, branding images etc.) from illegitimate use, trade and sale.

Consult Section 3 of the [Public Servants Inventions Act](#).

Consult the [Directive on the Use of the CBSA Brand: Corporate Identity](#).

7.3. Returning Property and Assets When Reassigned or Leaving the Job

We will return all government property and assets received as part of our duties when we leave our position or if we are temporarily reassigned, or when requested by a proper authority.



8. Confidentiality and Disclosure of Information

Our CBSA value of **Professionalism** includes our role as custodians of government resources. As professionals, we acquire information, preserve it and share it only when authorized to do so.

For more information, consult CBSA's [Privacy Code of Principles](#) and the [Information Sharing Toolkit](#).

We are legally obliged to protect the privacy of individuals and our commercial clients' business information. In doing so, we comply with section 107 of the [Customs Act](#) and section 8 of the [Privacy Act](#) in the collection, use, sharing, storage, disclosure, distribution and disposal of any personal information pertaining to individuals or commercial information pertaining to businesses.

We keep in strict confidence all information that we obtain about CBSA's clients and all other official information including policies, programs, practices and procedures to which the public does not have official access. We disclose this type of information to clients or designated representatives only if specifically authorized by legislative or Agency guidelines. We are especially vigilant when engaging in social media activities. For more guidance, consult [section 3. Social Media](#).

For more information, consult the [Access to Information and Privacy \(ATIP\) Reference Manual \(PDF, 648 KB\)](#), specifically Chapter 3, section 3.5.

We do not destroy, alter, falsify or conceal a record, or direct anyone to do so, with the intent of obstructing the right of access set out in section 67.1 of the [Access to Information Act](#).

Our CBSA value of **Integrity** encompasses the obligation to avoid inappropriate use of official information for personal purposes, for gain or financial benefit for ourselves or others, or to put others at a disadvantage. We access official information only if it is required to perform our duties and we are authorized to do so. We safeguard official information and use, process, store and handle designated or classified information only for purposes specified by the CBSA. We do not remove, hide, change, mutilate, copy or destroy any official information.

For more information, consult the CBSA's [Security Handbook \(PDF, 712 KB\)](#).

For more guidance, consult [section 6. Electronic Network Access and Uses](#) and [Chapter 2: Conflict of Interest and Post-Employment](#).

When we are in doubt about how to treat specific information, we seek guidance from management.



CAUTION

When leaving employment, we cannot take with us or retain any CBSA records or documents, including paper documents, CDs and diskettes with electronic information, videos, etc. These include, but are not limited to, training materials and any third-party information obtained during the performance of your duties.



8.1. Providing Information or Testimony

We cooperate in governmental investigations including those conducted by Personnel Security and Professional Standards, a Health and Safety Officer, or a Senior Officer for Internal Disclosure Investigator who is carrying out his or her duties under the [Public Servants Disclosure Protection Act](#).

We speak with candour if we are called upon to provide information and we provide complete access to the CBSA information systems, documents and records to the extent that such access is legally permitted.

We recognize that we are required to give testimony as requested by the Crown in cases enforcing program legislation and where our managers have authorized our participation. In doing so, we are honest and truthful. Should we be asked to assist in provincial or foreign authority investigations, we consult with our manager.

9. Harassment and Discrimination

Our CBSA value of **Respect** encompasses all that we do to value the inherent dignity of all people. We show respect by never engaging in discriminatory or harassing behaviour.

Harassment is any conduct by an individual that is directed at and offensive to another person or persons in the workplace, and that the individual knew or ought to have reasonably known would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles, or causes personal humiliation or embarrassment, and any act of intimidation or threat. It includes harassment within the meaning of the [Canadian Human Rights Act](#).

For more information, consult the Treasury Board Secretariat's [Policy on Harassment Prevention and Resolution](#).

Discrimination involves treating someone differently or unfairly because of a personal characteristic or distinction which, whether intentional or not, has an effect which imposes disadvantages not imposed upon others, or which withholds or limits access to other members of society. There are thirteen prohibited grounds for discrimination under the [Canadian Human Rights Act](#): race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability and pardoned conviction or record suspension.

Everyone is entitled to work in an environment free from harassment and discrimination. These factors affect workplace and individual well-being and we acknowledge that they will not be tolerated. We accept our responsibility to treat fellow employees with fairness, respect and dignity, and we work with management to help foster a workplace that is safe and healthy.

We do not engage in any harassing or discriminatory behaviour, action or inaction that could harm an employee's working relationships, job security or general well-being at work. This includes harassment or discrimination of CBSA employees that may happen outside the workplace or outside working hours including activities on social media fora.

Harassment is a serious matter. The filing of frivolous or unsubstantiated harassment and/or discrimination claims can damage an employee's reputation and cause them emotional harm. We recognize that this is unacceptable and therefore we make every effort to resolve the situation or conflict as soon as possible, in a fair and respectful manner, before resorting to the complaint process.



If we witness harassment or discrimination or we are being harassed or subjected to discrimination, we will seek guidance and support from our manager. In cases where our manager is the source of our harassment or discrimination we will seek guidance and support from another manager. Additionally, we can explore options by contacting an [Informal Conflict Management System Advisor](#), the [Office of Values and Ethics \(E-mail\)](#), or our union representative.



CAUTION

Disciplinary or corrective measures will also be taken against the following:

- any manager who is aware of a harassment situation and who fails to take corrective action;
- anyone who interferes with the resolution of a complaint by threats, intimidation or retaliation; or
- anyone who files a complaint that is frivolous or in bad faith.

For more guidance consult the following specific sections:

[3. Social Media](#)

[4. Private, Off-Duty Conduct and Outside Activities](#)

[10. Contact with the Public](#)

[11. Contact with the People We Work With](#)

10. Contact with the Public

Our CBSA values of **Respect**, **Integrity** and **Professionalism** guide our interactions with members of the public. As CBSA employees we demonstrate these values in a number of ways, including:

- by providing quality service that is fair, accurate, accessible, efficient, timely and respectful of Canada's official languages;
- by continually striving to achieve service excellence;
- by communicating with the public, at all times, in a respectful manner including on social media fora and when using electronic communication devices;
- by never engaging in discriminatory or harassing behaviour; and
- by never making abusive, derisive, threatening, insulting, offensive or provocative statements or gestures to or about another person. Consult section 2 of the [Canadian Human Rights Act](#).

For more information, consult [Our Service Commitment](#).

For more information, consult the [Policy on Violence Prevention in the Workplace \(PDF, 282 KB\)](#) and the [Policy on Abuse, Threats, Stalking and Assaults against Employees \(PDF, 372 KB\)](#) and the [Guidelines for Abuse, Threats, Stalking and Assaults Against Employees \(PDF, 334 KB\)](#).

For more guidance, consult the following specific sections:

[3. Social Media](#)

[9. Harassment and Discrimination](#)



CAUTION

Discrimination is an action or a decision that treats a person or a group negatively based on the prohibited grounds of discrimination. There are thirteen grounds for discrimination under the [Canadian Human Rights Act](#) (CHRA): race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics, disability, and a pardoned conviction or record suspension. The CHRA prohibits all CBSA employees from discriminatory practices based on one or more of the grounds of discrimination. These discriminatory practices include denying someone a service or accommodation or providing someone services or accommodation in a way that treats them adversely and differently. As professionals, we are aware of our CHRA obligations in the conduct of our duties and in our interactions with the public.

These obligations would apply, for example, but are not limited to the following situations:

- Border Service Officers (BSOs) processing travellers seeking admission to Canada
- Superintendents addressing a traveller's complaint
- Inland Enforcement Officers retaining a person in custody who requires religious accommodation
- Senior Officers Trade Compliance providing services to commercial clients
- Recourse Officers conversing with clients and their representatives during the appeal process
- Human Resources Advisors responding to inquiries from job fair participants
- Procurement Officers interacting with external vendors
- Technical Advisors liaising with commercial clients at the front counter
- Senior Investigators interviewing members of the public as witnesses

Working with the public occasionally involves dealing with difficult people. Clients' actions may sometimes be disrespectful, abusive, or threatening. They may even result in personal assault. If there is a need to resort to use of reasonable force we do so in accordance with CBSA training procedures and policies.

We must promptly report the full details of any incident to our manager and cooperate in any subsequent investigation.

The CBSA may provide us with protection, support and assistance in accordance with the [Policy on Legal Assistance and Indemnification](#). This policy provides for both indemnification and legal assistance with respect to liability arising from circumstances in which we:

- acted in good faith;
- did not act against the interests of the Crown; and
- acted within the scope of our duties or course of employment with respect to the acts or omissions giving rise to the request (i.e. request for legal assistance and indemnification).



11. Contact With the People We Work With

Our CBSA values of **Respect**, **Integrity** and **Professionalism** guide our interactions with the people we work with including colleagues, clients, and stakeholders. As CBSA employees we demonstrate these values in a number of ways, including:

- by valuing the unique contributions of others within our diverse workforce;
- by fostering collaboration, professional learning, and innovation by being open and honest;
- by communicating with others, at all times, in a respectful manner including on social media fora and when using electronic communications;
- by never engaging in discriminatory or harassing behaviour;
- by considering the effect our decisions and actions have on others; and
- by never making abusive, derisive, threatening, insulting, offensive or provocative statements or gestures to or about another person. Consult section 2 of the [Canadian Human Rights Act](#).

For more guidance, consult sections:

[3. Social Media](#)

[4. Private, Off-Duty Conduct and Outside Activities](#)

[9. Harassment and Discrimination](#)

12. Neglect of Duty

Although this Code sets out expected standards of conduct for all employees at CBSA, they are not all-inclusive. Our CBSA value of **Professionalism** encompasses being attentive, alert and reliable. Therefore, neglecting our duties falls short of our high standards. For example, as professionals we:

- carry out policies, procedures, or assignments or instructions from our managers without delay;
- follow applicable laws, rules, regulations, or policies;
- avoid a general lack of attention or sleeping on-the-job;
- attend work as scheduled; and
- are not absent from work without reasonable cause or authorization.

For more guidance, consult [1.1 Hours of Work](#)

13. Safety and Security

Our CBSA value of **Professionalism** entails competency. We demonstrate competency by observing safety and security standards, rules and procedures established for the workplace and the use of equipment while on the job.

We promptly report to our manager when there is a threat or any work-related hazard, accident or injury to ourselves or other employees.

Examples: Safety issues can include allergies and sensitivities to food or scents or the effects of a psychological trauma.

For more information, consult the [Standard for Security Incident Reporting \(PDF, 501 KB\)](#).

For more information, consult the [Canada Labour Code](#) and the [Canada Occupational Health and Safety Regulations](#).



CAUTION

Immediately notify your manager or a security officer if you become aware of:

- a security infraction;
- a negligent or criminal act;
- an unsafe or hazardous condition at work;
- an accident or injury to yourself or other employees; or
- a failure on the part of any employee to observe workplace safety and security standards, rules and procedures.

14. Use of Personal Electronic Devices at Work

Our CBSA value of **Professionalism** guides our behaviour at work so that we remain productive and avoid distracting or interfering with the work of others. It also includes being constantly aware of the potential for security breaches.

As CBSA **employees working at Ports of Entry, and in any other CBSA offices where service to the public is provided**, we do not use any personal electronic communication devices while performing our official duties.

As CBSA **employees not directly serving the public**, we minimize our use of personal electronic devices while we are performing our duties. If we are in doubt as to what is appropriate use, we consult and seek direction from our manager.

For more guidance, consult section [3. Social Media](#).

15. Consumption of Intoxicants, Illegal Drugs and Smoking

Our CBSA value of **Professionalism** entails being ready and able to provide service excellence. Our CBSA value of **Respect** requires that we value and act within the rule of law.

As professionals, we never report to work under the influence of alcohol. We never use or are never found to be in possession of (except in relation to the performance of our duties) illegal drugs while on or off-duty. As a uniformed and/or armed employee we are especially vigilant in respecting this standard.

We recognize that, on occasion, consumption of alcohol may take place on CBSA premises in connection with the celebration of special events. Such activities are authorized by management and take place in areas not open to

For more information, consult the [Policy on the Use of Personal Electronic Communication Devices in the Workplace](#).

Examples: Personal electronic devices include but are not limited to: smart phones (including those with cameras), pagers, Bluetooth devices, laptop computers, gaming devices, tablets, iPods, recording devices, smartwatches, etc.

Clarification: Intoxicants include any substances (e.g. alcohol, prescription drugs, narcotics, fumes etc.) that diminish mental or physical abilities or are mood altering.

Example: Contraband cigarettes fall under the category of illegal goods.

For more information, consult the [Directive on the Consumption of Intoxicants at CBSA Training Facilities and during CBSA Training Events \(PDF, 640 KB\)](#) and information concerning the use of [E-cigarettes in the Workplace](#).



the public. Following these activities, we must be able to carry out our responsibilities effectively. Impairment due to alcohol consumption is not tolerated.

If we smoke, we do so only during rest periods and not on duty or in any building where the CBSA conducts its business.

16. Financial Matters

Our CBSA value of **Integrity** requires us to separate our personal financial affairs from the handling of official financial matters.

16.1. Borrowing or Lending Money

We do not:

- borrow money or incur financial obligations from a client;
- present a personal cheque to be cashed by a client; or
- ask any employee to, or offer to, sign a financial instrument as an endorser or co-signer, to secure an amount of money being lent or borrowed, unless that employee is a relative or a common-law partner.

16.2. Care of Money, Credit Cards and Items Having a Financial Value

We follow established procedures and reasonable standards of care in accounting for, safeguarding and using government money, credit cards and any type of item having a financial value (e.g. phone cards, smart phones, cell phones, laptops, etc.) in our possession or control.

We immediately report to our manager if monies, credit cards or any type of item with a financial value is misplaced, lost or stolen while in our care.

For more guidance, consult [section 7. Care and Use of Government Property and Assets](#).

16.3. Endorsing Cheques

We do not endorse cheques, either personal or business, made payable to "cash" issued by customs-house brokers, importers or their agents. Endorsing such a cheque may contribute to a possible misappropriation of business funds.

16.4. Illicit Gambling

We do not gamble on CBSA premises on or off-duty. Additionally, the Treasury Board [Policy on Acceptable Network and Device Use](#) prohibits the use of computer systems and electronic networks for the purpose of illicit gambling.

For more guidance consult [section 6. Electronic Network Access and Uses](#).



CAUTION

Draws, usually called "50-50" draws (i.e., collections taken up by public servants to establish a sum of money, half of which would go to the winner of the draw and the other half to a charity) are exempt from this Code. They are considered social and voluntary activities shared by public servants. However, **draws of this type are regulated by provincial authorities and are subject to licensing requirements.**

16.5. Legal Provisions and Fraud

We comply with all legal provisions governing financial matters and safeguard against any potential situations of fraud or inappropriate use of funds as stated in the [Financial Administration Act](#), the [Criminal Code](#) and the [Proceeds of Crime \(Money Laundering\) and Terrorism Financing Act](#).

We immediately report to our manager if we have knowledge or awareness of any violation or fraud.

17. Unions and Similar Employee Associations

The CBSA respects the right of employees to belong to employee organizations (unions) and to take part in their legal activities.

Tip: Before participating in any union or employee association activity, we refer to our collective agreement to ensure it is not an illegal strike activity or job action.



Chapter 2: Conflict of Interest and Post-Employment

Our CBSA value of **Integrity** compels us to act at all times in a manner that will bear the closest public scrutiny. This behaviour goes beyond simply acting within the law. We do this by never using our official roles to gain advantage for ourselves or others or to cause disadvantage to others. We take the time to review our role as CBSA employees and as public servants to ascertain if there are any real, apparent or potential conflicts of interest between our official responsibilities and our private affairs. We take all possible steps to prevent and resolve any such conflicts of interest in favour of the public interest. We recognize that these obligations entail maintaining our employer's trust.

As public servants we are bound by the Treasury Board Secretariat (TBS) [Policy on Conflict of Interest and Post-Employment](#) as a part of our terms and conditions of employment. Key sections of this Policy are outlined below.

A. Definitions

Conflict of Interest (COI): is a situation in which the public servant has private interests that could improperly influence the performance of his or her official duties and responsibilities or in which the public servant uses his or her office for personal gain.

- A real conflict of interest exists at the present time.
- An apparent conflict of interest could be perceived by a reasonable observer to exist, whether or not it is the case.
- A potential conflict of interest could reasonably be foreseen to exist in the future.

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

Public servant: a person employed in organizations defined in section 2 of the [Policy](#). This includes indeterminate and term employees, employees on leave without pay, students participating in Student Employment Programs, casual, seasonal and part-time workers.

Although they may not be public servants, individuals on incoming Interchange Canada assignments are expected to comply with, and volunteers are expected to respect, the requirements in Appendix B of the

Examples of real conflicts of interest:

- processing importation of personal goods or that of a family member or friend as an officer at POE;
- processing of a traveller we know personally; or
- helping a friend set up an import/export business by divulging non-publicly available information.

Tip: According to the Federal Court of Appeal in *Threader*, the existence of an apparent conflict of interest must be determined by the following question:

"Would an informed person, viewing the matter realistically and practically and having thought the matter through, think it more likely than not that the public servant, whether consciously or unconsciously, will be influenced in the performance of his/her official duties by considerations having to do with his/her private interests?"

Threader v. Canada (Treasury Board), [1987] 1 F. C. 41 (CA) paragraph 27.

Examples of potential conflicts of interest:

- employment with an import/export business;
- receiving benefits or income either directly or indirectly from a contract with CBSA;
- employment with an HR company while performing HR functions at CBSA;
- member of a board of directors of an import/export association.



[Policy](#). Order-in-council appointees, such as deputy heads, are subject to the [Conflict of Interest Act](#), and are not subject to this Policy. Although, not bound by this [Policy](#), we ask contractors and service providers to respect the spirit and intent of its requirements.

B. Prevention of Conflict of Interest

This section provides the conflict of interest and post-employment requirements. These requirements are grounded in and serve to uphold our values. By upholding these ethical standards, we conserve and enhance public confidence in the honesty, fairness and integrity of the public service. These requirements also form part of Canada's commitments as a signatory to [international agreements on values and ethics](#).

We maintain public confidence in the objectivity of the public service by preventing and avoiding situations that could give the appearance of a conflict of interest, result in a potential for a conflict of interest, or result in an actual conflict of interest. Conflict of interest does not relate exclusively to matters concerning financial transactions and the transfer of economic benefit. While financial activity is important, conflicts of interest in any area of activity can negatively impact the perceived objectivity and impartiality of the public service. This is especially important with respect to activities on social media fora and when using electronic communication devices.

It is impossible to foresee every situation that could give rise to a real, apparent or potential conflict of interest. When in doubt, we should refer to the requirements set out in this Code and the [Values and Ethics Code for the Public Sector](#) to guide appropriate action. We can also seek guidance from our manager or explore options with the [Office of Values and Ethics \(E-mail\)](#) or consult the [Resources](#) posted on Atlas.

Tips to resolve conflicts of interest:

- If a family member or friend comes through the PIL, whenever possible, have someone else clear them.
- If we have worked in a program area that we are being asked to audit, we should declare it.
- If a family member or friend is a candidate in a staffing process, we should recuse ourselves from the selection committee.

In addition to the requirements outlined in this Code, we are also required to observe any specific conduct requirements contained in the statutes governing the CBSA and our profession, where applicable.

Ultimately, each one of us is responsible for preventing, avoiding and resolving his or her real, apparent or potential conflict of interest situations.

C. General Responsibilities and Duties

Our general responsibilities and duties include:

- a) Taking all possible steps to recognize, prevent, report, and resolve any real, apparent or potential conflicts of interest between our official responsibilities and any of our private affairs;
- b) Unless otherwise permitted in Appendix B of the [Policy](#), refraining from having private interests, which would be unduly affected by government actions in which we participate, or of which we have knowledge or information;
- c) Not knowingly taking advantage of, or benefiting from, information that is obtained in the course of our duties that is not available to the public;



- d) Refraining from the direct or indirect use of, or allowing the direct or indirect use of government property of any kind, including property leased to the government, for anything other than officially approved activities;
- e) Not assisting private entities or persons in their dealings with the government where this would result in preferential treatment of the entities or persons;
- f) Not interfering in the dealings of private entities or persons with the government in order to inappropriately influence the outcome;
- g) Maintaining the impartiality of the public service and not engaging in any outside or political activities that impair or could be seen to impair our ability to perform our duties in an objective or impartial manner; and
- h) Ensuring that any real, apparent or potential conflict that arises between our private activities and our official responsibilities as a public servant is resolved in the public interest.

D. Conflict of Interest During Employment:

In order to prevent and resolve conflict of interest situations during employment, we are required to report in writing according to CBSA procedures (as outlined in each of the following sections) using the [Conflict of Interest Report \(PDF, 2.7 MG\)](#), all outside activities, assets and interests that might give rise to a real, apparent or potential conflict of interest in relation to our official duties. **Such a report is to be made within 60 days of our initial appointment or any subsequent appointment, transfer or deployment. This must be done in consultation with our manager.**

On a regular basis thereafter, and every time a major change occurs in our personal affairs or official duties, we are required to review our obligations under this Code and the [Values and Ethics Code for the Public Sector](#). If a real, apparent or potential conflict of interest exists, we must complete and submit a [Conflict of Interest Report \(PDF, 2.7 MG\)](#) according to CBSA procedures (as outlined below) in a timely manner.

When negotiating financial arrangements with outside parties, we are to comply with the requirements listed in this Code as well as other related directives or policies issued by the Treasury Board and the CBSA. When in doubt, we are to immediately report the situation to our manager in order to seek advice or direction on how to proceed. In addition to reporting to our manager, we can explore our options with the CBSA's [Office of Values and Ethics \(E-mail\)](#).

Consult the Treasury Board Secretariat's [FAQs: Policy on Conflict of Interest and Post-Employment](#).

1. Personal Assets

We are required to evaluate our personal assets, taking into consideration the nature of our official duties and the characteristics of our assets. If there is any real, apparent or potential conflict of interest between the carrying out of our official duties and our assets, we are to report this matter to the President's delegated authority in a timely manner, using the [Conflict of Interest Report \(PDF, 2.7 MG\)](#). Additionally, we are to notify our manager that a CBSA Conflict of Interest Report has been submitted and notify him/her when and if the conflict of interest has been resolved.

For more information, consult CBSA's [List of Reportable and Exempt Assets and Liabilities](#).



Where the President's delegated authority determines that any of these assets results in a real, apparent or potential conflict of interest in relation to our official duties, we may be required to divest those assets, or to take measures to resolve the conflict. We may not sell or transfer assets to family members or anyone else for the purpose of circumventing the compliance requirements.

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

2. Outside Employment or Activities

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

After consultation with our manager and if there is any doubt that our outside employment or activities might subject us to demands incompatible with our official duties, or cast doubt on our ability to perform our duties or responsibilities in a completely objective manner, we are required to complete and submit a [Conflict of Interest Report \(PDF, 2.7 MG\)](#) to our manager. In addition to reporting to our manager, we can explore our options with the CBSA's [Office of Values and Ethics \(E-mail\)](#). Our manager may require that the outside activities be modified or terminated if it is determined that a real, apparent or potential conflict of interest exists. The final decision rests with our Director General or Regional Director General.

Clarification: Displaying promotional items or products can create a conflict of interest because in doing so we are seeking to obtain a personal benefit through our workplace associations. If you wish to display any promotional materials on a bulletin board reserved for posting employees' outside activities, you must first obtain management approval.

Consult also, Clarification on [5. Solicitation and Fundraising](#).

3. Political Activities

Part 7 of the [Public Service Employment Act](#) (PSEA) recognizes our right, as public servants, to engage in political activity as long as it does not impair, or is not perceived to impair, our ability to perform our duties in a politically impartial manner. Whether a political activity will compromise impartiality, or will be perceived as doing so, depends on factors such as the nature of the political activity, the nature of our duties within the organizational context, and the level and visibility of our position.

"Political activities" are defined in [Part 7 of the PSEA](#) as:

- any activity in support of, within or in opposition to a political party;
- carrying on any activity in support of or in opposition to a candidate before or during an election period; or,
- seeking nomination as or being a candidate in an election before or during the election period.

If we wish to engage in a political activity not covered by Part 7 of the PSEA that could constitute a conflict of interest we are required to report the proposed activity to the CBSA's [Designated Political Activities Representative](#)

Clarification: Please note that elections for Indian band councils and school boards do not fall under the political activities provisions of the PSEA.

Clarification: Examples of non-candidacy political activities include:

- going door-to-door to solicit votes for a candidate or party;
- putting a sign on your front lawn supporting a candidate;
- donating to a candidate or party;
- attendance at a political rally (not to be done in uniform).

Consult the [PSC's Political Activities Self-assessment Tool](#).



(E-mail) (DPAR). Similarly, if we are subject to this Code but not subject to Part 7 of the PSEA, including casual and part-time workers, and wish to engage in any political activity that could constitute a conflict of interest, we are to report the proposed activity to CBSA's DPAR.

Before engaging in political activities, or if we are unsure whether the political activity we want to engage in is appropriate, we discuss our interest in becoming involved in a political activity with our immediate supervisor who may be able to offer advice and guidance concerning the political impartiality aspect of the PSEA requirements, given our current job responsibilities. We can also seek advice and direction from CBSA's DPAR. For more information, consult [General Political Activities](#).

As CBSA employees, we recognize that:

- to be a **candidate in a federal, provincial, territorial or municipal election** we have to request and obtain permission from the Public Service Commission (PSC);
- the PSC may make permission conditional on us taking a leave of absence without pay (LWOP) for the period, or any part of the period, where we are seeking nomination, or being a candidate, before and during the election period;
- the PSC may make permission conditional on us taking a LWOP or ceasing to be an employee if declared elected; and
- we need to **submit a completed political candidacy request** to the CBSA's DPAR **eight weeks before we require a decision** (i.e. deadline to submit our candidacy).

Clarification: You cannot use government property or resources or wear your official uniform or identifiers during political activities or political candidacy related activities.

Consult the short online PSC video: [Candidacy Process](#).

For more information speak to your manager and/or CBSA's [Designated Political Activities Representative \(E-mail\)](#).



CAUTION

We are required to seek and obtain permission from the Public Service Commission to be a candidate, or seek to be nominated as one, in a federal, provincial, territorial, or municipal election. Before seeking nomination please read and comply with the [Political Candidacy Request Process](#). Note that the responsibility for determining whether seeking nomination or being a candidate will compromise impartiality, or will be perceived as doing so, rests with the Public Service Commission.

Should we take part in any political activity, we will ensure that the nature of our participation does not conflict with our ability to:

- remain loyal to the Government of Canada;
- maintain an impartial and effective public service; and
- be politically neutral, in consideration of our position and visibility as a CBSA employee.



4. Gifts, Hospitality and Other Benefits

We are expected to use our best judgment to avoid situations of real, apparent or potential conflicts of interest by considering the following criteria on gifts, hospitality and other benefits while keeping in mind the full context of the [Values and Ethics Code for the Public Sector](#), this *Code of Conduct* and the [Policy on Conflict of Interest and Post-Employment](#).

Tip: Our BSOs from Edmundston, NB use the following test: "Would I have received this gift if I did not work for the CBSA?" If the answer is no, they decline the gift.

4.1. Acceptance

We are not to accept any gifts, hospitality or other benefits that may have a real, apparent or potential influence on our objectivity in carrying out our official duties and responsibilities, or that may place us under obligation to the donor. This includes activities such as free or discounted admission to sporting and cultural events, travel or conferences.

If we are offered a gift, hospitality or other benefits, we advise our manager, regardless of whether it is accepted or refused.

Although the normal expectation is that we do not accept gifts, hospitality or other benefits, it is permissible if they:

- are infrequent and of minimal value such as low-cost promotional objects, simple meals or souvenirs with no cash value (we use reasonable judgment to determine "minimal value" as it does not correspond to a specific dollar amount);
- are within the normal standards of courtesy, hospitality or protocol;
- arise out of activities or events related to official duties; and
- do not compromise or appear to compromise our integrity or that of the CBSA in any way.

Tip: Defining minimal value depends upon the context in which the gift is being accepted. The dollar value of an item is less important than the perception of accepting a gift e.g. If we are responsible for procurement and accept a low-cost coffee mug with a logo from a current or potential supplier, then there is a perception that we might favour this company.

Before accepting any gifts take into consideration the following:

- How does this appear to an outside objective person?
- Who is the gift from and what is their intent?
- Is it to gain favour or advantage?

In case of doubt, it is best to decline the gift, hospitality or other benefits.



CAUTION

Soliciting or accepting a commission, reward, advantage or benefit of any kind from a person or commercial organization that has dealings with the Government of Canada, without obtaining the required written consent through our manager, is an offense under the [Criminal Code](#), as well as a serious breach of this Code. This could be considered a bribe.



4.2. Situations Where it May be Impossible to Decline a Gift, Hospitality, Other Benefit

We are to seek written direction from our manager where it is impossible to decline gifts, hospitality and other benefits that do not meet the principles set out above, or where it is believed that there is sufficient benefit to the CBSA to warrant acceptance of a certain type of hospitality. In such cases we are expected to promptly declare the gift, hospitality or benefit and seek written direction on what to do (e.g. accept the gift on behalf of the Agency, accept the gift and donate it to charity, etc.). We can explore our options with the CBSA's [Office of Values and Ethics \(E-mail\)](#) in these situations.

4.3. Honoraria

When we participate in events (speaker at a conference, panel etc.) in our official capacity, we do not accept any form of honorarium, regardless of whether such participation was during or outside work hours.

4.4. Travel Offers From a Third Party

In the course of our duties, we may receive offers from stakeholders to cover travel-related costs when we are called upon to collaborate with them or are invited to a conference as a speaker or guest.

If a third party offers to pay or reimburse the costs related to our travel, we must assess whether the offer poses a risk of real, apparent, or potential conflict of interest, or whether it may have, or give the appearance of having, influence on our objectivity in carrying out our official duties. We must also ensure that the acceptance of the offer would not contravene any legal, financial or policy requirements.

Accepting any offer of funded travel from a third party is unacceptable when:

- it would result in a direct personal benefit from the third party;
- the offer of funded travel was solicited;
- the third party is a potential or current supplier to the CBSA;
- the third party actively lobbies the CBSA; or
- the third party receives grants or contributions from the CBSA, unless a cost-sharing agreement exists between the Agency and the organization and where this type of expense is part of the agreement.

If management decides that there is a benefit and a value added for the CBSA in our attending an event, then Agency source funding should be identified to cover the cost of the travel.

Clarification: Public servants using the Government of Canada fleet card are not permitted to accumulate rewards and/or reward points on their own personal loyalty cards (i.e.: Air Miles, Petrol-Points, or other types of reward points) or receive cash-backs for fuel purchases and/or repairs made using the Government of Canada fleet card.

The only exception can be found under the Treasury Board approved [Travel Directive](#):

"Provided that there are no additional costs to the Crown, public servants travelling on government business can join loyalty programs and retain benefits offered by the travel industry for business or personal use. Such privilege is conditional upon the use of government approved services and products."



5. Solicitation and Fundraising

With the exception of fundraising for officially supported activities such as the Government of Canada Workplace Charitable Campaign (GCWCC), we may not solicit gifts, hospitality, other benefits or transfers of economic value from a person, group or organization in the private sector who has dealings with the government. When fundraising for such official activities we should ensure that we have prior written authorization from our manager, who will seek written authorization from the President's delegated authority to solicit donations, prizes or contributions in kind from external organizations or individuals.

Similarly, if an outside individual or entity, with whom the CBSA has past, present or potential official dealings, offers a benefit to the Agency such as funding for an event or a donation of equipment, we are to consider whether any real, apparent or potential conflict of interest exists, and obtain the consent in writing of our manager, who will seek written authorization from the President's delegated authority prior to accepting any such benefit.

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

6. Avoidance of Preferential Treatment

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

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

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

6.1. Relationship/Partnership with External Stakeholders

As public servants, we are called upon to have contact with a variety of stakeholders. It is important to be, and be perceived as being, impartial and objective in all our dealings with our stakeholders, and to remember that we represent the CBSA and the Government of Canada. Care must be taken to keep our relationships with stakeholders professional and to avoid any real, apparent or potential conflict of interest.

Tip: To prevent conflict of interest situations during GCWCC campaign, take into consideration the following:

- Does the donor have an existing business relationship with CBSA?
- Is the donor in a negotiation with the CBSA to establish a business relationship?
- Is the donor seeking an advantage either from us in our official capacity or from the Agency in general?
- From the point of view of an outside, objective person, how does acceptance of this donation appear?

Clarification: If we are raising donations, sponsorships or selling products for charitable purposes, we should not solicit these in person or display any promotional materials, products, solicitation sheets etc. without management approval.

Consult also, the Clarification on [2. Outside Employment or Activities](#).



In small communities, CBSA is often a visible and significant part of the community. In such cases, it may be a greater challenge for us to keep our professional and personal lives separate. Maintaining our professional demeanour in public fora and assessing the effect of our personal behaviour on our professional roles becomes especially important in these circumstances.

6.2. Reporting Relationships

Given that as managers or supervisors, we are expected to be unbiased and fair in managing our team, a reporting relationship between family members is a real conflict of interest and should be avoided since it creates the appearance of preferential treatment. The closeness and visibility of the relationship are factors to consider in determining the extent to which the definition of family may be applied. For instance, close personal relationships that may not satisfy the legal definition of family but may contribute to a perception of preferential treatment should also be avoided in reporting relationships.

It is our responsibility to identify situations where we may be in a situation of conflict of interest with respect to reporting relationships and to take appropriate action. In cases where it is impossible to avoid the conflict of interest, management should assign certain responsibilities regarding the reporting employee (performance assessment, leave approval, financial approvals, etc.) to another supervisor, or take other administrative measures to minimize the risk of a conflict of interest.

Clarification: To avoid preferential treatment or the appearance thereof, public servants are not to offer extraordinary assistance to any entity or persons without the knowledge and approval of their supervisor. They cannot directly or indirectly endorse a vendor, partner, client and/or stakeholder or request the same in return to promote or endorse a CBSA program. This includes but is not limited to:

- Providing testimonials on the quality of a vendor's product and/or service
- Displaying an outside entity's logo on ATLAS or on any other CBSA communication product
- Soliciting a testimonial from a partner to endorse or promote a CBSA program

E. Conflict of Interest Before and After Leaving Employment

We all have the responsibility to minimize the possibility of real, apparent or potential conflict of interest between our most recent responsibilities within the federal public service and our subsequent employment outside the public service.

Before leaving our employment with the public service, we are all to disclose our intentions regarding any future outside employment or activities that may pose a risk of real, apparent or potential conflict of interest with our current responsibilities and discuss potential conflicts with our manager or the President's delegated authority.

1. Post-Employment Limitation Period When in Designated Positions

At CBSA, EX positions or their equivalent, as well as EX minus 1 and EX minus 2 positions and their equivalent (e.g., PM-06, IS-05, AS-07), are designated for post-employment limitation. In addition, the President is responsible for designating positions of risk for post-employment conflict of interest situations. Such designations are to be communicated to potential and current employees.

If we occupy these designated positions, we are subject to a one-year limitation period after leaving employment with the federal public service. Before leaving and during this one-year limitation period, we are to report to the



President's delegated authority all firm offers of employment or proposed activity outside the public service that could place us in a real, apparent or potential conflict of interest with our public service employment.

We are also immediately to disclose the acceptance of any such offer.

In addition, we may not, during this one-year period after leaving the federal public service, without the authorization of the President's delegated authority:

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

Clarification: If you are in a "designated position," all post-employment conflict of interest situations should be taken into consideration, not just the three additional considerations as listed under a), b) and c).

Consult the [Post-Employment Considerations and Exit Interviews](#).

2. Waiver or Reduction of Limitation Period

We may apply to the President's delegated authority for a written waiver or reduction of the post-employment limitation period. To do so, we are to provide sufficient information to assist the President in making a determination as to whether to grant the waiver taking into consideration the following criteria:

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

F. Resolution

With respect to the arrangements necessary to prevent real, apparent or potential conflict of interest, or to comply with the requirements set out above, it is expected that situations will be resolved through discussion with the President's delegated authority. When we disagree on the appropriate arrangements to resolve a real, apparent or potential conflict of interest, the disagreement will be resolved through the resolution procedures established by the [Office of Values and Ethics \(E-mail\)](#).



G. Consequences

If we do not comply with the requirements set out in this chapter we may be subject to disciplinary measures, up to and including termination of employment.



Chapter 3: Disclosure of Information Concerning Wrongdoing in the Workplace

Wrongdoing is defined as:

- a) the contravention of an Act of Parliament or of the legislature of a province, or of any regulations made under any such Act;
- b) the misuse of public funds or assets;
- c) gross mismanagement in the federal public sector;
- d) an act or omission that creates a substantial and specific danger to the life, health and safety of Canadians or the environment;
- e) a serious breach of a *Code of Conduct*;
- f) knowingly directing or counselling a person to commit a wrongdoing.

When we have reasonable grounds to believe that a public servant has committed or is about to commit a wrongdoing in the workplace, under the [Public Servants Disclosure Protection Act](#) (PSDPA), we have three options to disclose this information. Our identity will be protected and we will be afforded protection against reprisal when we report wrongdoing using any of the three options:

Clarification: Disclosing information concerning wrongdoing in the workplace is voluntary.

1. we can talk to our manager.
2. we can disclose this information to the [CBSA Senior Officer for Internal Disclosure \(E-mail\)](#).
3. we can disclose this information to the [Public Sector Integrity Commissioner](#).

Consult the [CBSA Protected Disclosure of Wrongdoing Process](#).

When we disclose information concerning wrongdoing, we are expected to:

1. follow the internal procedures established to bring forward instances of wrongdoing in the workplace;
2. respect the reputation of individuals by not making trivial or unsubstantiated disclosures of wrongdoing or by making disclosures in bad faith; and
3. provide no more information than is reasonably necessary to make the disclosure.

Clarification: Managers in receipt of a disclosure of information concerning wrongdoing **do not** report through the chain of command. They must immediately contact the [Senior Officer for Internal Disclosure \(E-mail\)](#) to seek guidance.

CBSA employees should ensure that allegations or evidence of misconduct or wrongdoing is reported immediately.

When receiving a disclosure of wrongdoing under the PSDPA, managers must immediately report to the [CBSA Senior Officer for Internal Disclosure \(E-mail\)](#) any activity, statement or documentation that comes to their attention that may involve or constitute wrongdoing and/or improper (or criminal) activity.



When informed of any allegation or evidence of employee misconduct or wrongdoing, CBSA will investigate to ensure that the reputation of its employees and the integrity of CBSA operations are protected. Appropriate measures will be taken as a result of misconduct or wrongdoing.

For more guidance, consult the [CBSA Protected Disclosure of Wrongdoing Process](#) and [Chapter 4: Disciplinary Measures and Resolutions of Issues Pertaining to the *Code of Conduct*](#).



Chapter 4: Disciplinary Measures and Resolutions of Issues Pertaining to the Code of Conduct

On its own, CBSA's *Code of Conduct* cannot address all ethical issues that may arise in the course of carrying out our Agency's mandate. As CBSA employees and as public servants we are expected to uphold a high standard of conduct and to respect and act in accordance with the [Values and Ethics Code for the Public Sector](#), the [Policy on Conflict of Interest and Post-Employment](#), and the CBSA *Code of Conduct*.

If a breach of either Code or the Policy occurs, managers are responsible for reviewing the breach and if required, consulting with Labour Relations and/or referring the case to [Personnel Security and Professional Standards](#) to determine appropriate action.

A decision regarding [disciplinary measures](#) will be determined on a case-by-case basis taking into consideration the nature of the breach and the seriousness of the misconduct. **Serious breaches will result in consequences up to and including termination of employment.** Some cases of misconduct may result in an employee being found guilty of an indictable offence and liable, on conviction, to fines and/or imprisonment based on legislative and regulatory requirements.

As provided by Sections 12 and 13 of the [Public Servants Disclosure Protection Act](#) (PSDPA), **if we have information that could indicate wrongdoing**, we can bring this matter to our manager, to CBSA's [Senior Officer for Internal Disclosure \(E-mail\)](#), or to the [Public Sector Integrity Commissioner](#). For more guidance consult [Chapter 3 Disclosure of Information Concerning Wrongdoing in the Workplace](#).

Clarification: In order to respect the confidentiality of CBSA's Employee Assistance Program (EAP) and in accordance with the EAP Guidelines, coordinator-counsellors and referral agents, while in the performance of their duties as agents of the EAP, are not required to report information related to an actual or potential serious misconduct or wrongdoing unless there is a significant and imminent risk of harm to an individual or individuals.

The absence of a specific standard of conduct does not mean that an action is condoned and, consequently, it may still be subject to disciplinary measures up to and including termination of employment.

With respect to either Code or the Policy, we are encouraged to resolve issues in a fair, respectful, and timely manner and to consider informal processes (e.g. dialogue, seeking guidance from experienced colleagues, our manager, an [Informal Conflict Management System Advisor](#) or our union representative. We can also explore our options with the CBSA's [Office of Values and Ethics \(E-mail\)](#) or view additional [Resources](#) posted on Atlas).



CAUTION

We are not permitted to do anything illegal or contrary to the [Criminal Code](#), the [CBSA Act](#), or any legislation or regulation enforced by the Agency. **In the unlikely event of being arrested, detained or charged, whether on or off-duty**—in Canada or outside Canada—with a violation of laws or regulations, **we will immediately report this incident to our manager.** This includes minor incidents, such as a traffic violation or Highway Code violation ticket received while using a government-owned or leased vehicle. We must also **report to our manager, any contact or associations we have with known or suspected criminals outside our official duties**, so that we can protect ourselves and the Agency.



Appendix

Contacts

Office of Values and Ethics

For additional guidance concerning the [Values and Ethics Code for the Public Sector](#), the [Policy on Conflict of Interest and Post-Employment](#) and this CBSA *Code of Conduct*, contact the office at ethics.ethique@cbsa-asfc.gc.ca.

Senior Officer for Internal Disclosure (SOID)

The SOID helps to promote a protected environment for disclosing wrongdoing as specified in the [Public Servants Disclosure Protection Act](#) (PSDPA) and deals with disclosures of wrongdoing made by CBSA employees and members of the public. For information visit the [CBSA Disclosure of Wrongdoing Process](#) site.

To make a confidential disclosure, please phone: 613-954-3604 or E-mail (disclosures.divulgation@cbsa-asfc.gc.ca).

The Office of the Public Sector Integrity Commissioner

The [Office of the Public Sector Integrity Commissioner of Canada](#) provides a safe and confidential mechanism enabling public servants and the general public to disclose wrongdoings committed in the public sector.

Personnel Security and Professional Standards

Personnel Security and Professional Standards is responsible for all policies relating to professional standards and personnel security screening review for cause investigations. Specifically, it is the responsible authority for investigating suspicions or allegations of employee misconduct and unfavourable information that could jeopardize an employee's security screening or clearance. For more information, contact [CBSA Security](#).

Designated Political Activities Representative (DPAR)

The DPAR provides guidance for employees who want to engage in political activities. For information visit the CBSA [Political Activities](#) site or contact the [DPAR \(E-mail\)](#).

Informal Conflict Management System (ICMS)

We have a right to work in an environment where employees respect each other and work together with professionalism. Different expectations, disagreements, and conflict are a natural and occasional part of human relations whether at work, school, or in our social lives. The confidential and impartial services of your Informal Conflict Management System are available to support you at the CBSA in attempting to resolve conflict. One can choose to use ICMS services prior to initiating a formal process, or after putting a formal process on hold. For assistance contact your [ICMS Advisor](#).



Employee Assistance Program

If we find ourselves in a challenging personal situation (e.g. difficulty managing our time, health issues, substance abuse, relationship issues, etc.) that could affect our professional relationships or performance at work, it is important to speak to our manager or other advisors. To help overcome personal challenges, we have access to the Employee Assistance Program. This Program is available 24 hours a day/7 days a week to help overcome such personal challenges. For more information, consult the [Employee Assistance Program](#).

Other Resources

Assistance is also available from Labour Relations and Human Resources advisors and our union representatives.

Reference Documents

The following is a list of resources that relate to the CBSA *Code of Conduct*. It is by no means exhaustive, but it includes the most relevant material.

CBSA Act, Policies, Directives and Resources

- [Access to Information and Privacy \(ATIP\) Reference Manual \(PDF, 648 KB\)](#)
- [Canada Border Services Agency Act](#)
- [CBSA National or Regional Spokespersons](#)
- [CBSA Privacy Code of Principles](#)
- [CBSA Protected Disclosure of Wrongdoing Process](#)
- [CBSA Uniform Policy and Standards of Appearance](#)
- [Comptrollership Manual – Finance Volume](#)
- [Comptrollership Manual – Security Volume](#)
- [Conflict of Interest Guidelines](#)
- [Conflict of Interest Report \(PDF, 2.7 MG\)](#)
- [Directive on the Appropriate Use of Electronic Mail \(E-mail\) \(PDF, 395 KB\)](#)
- [Directive on the Consumption of Intoxicants at CBSA Training Facilities and during CBSA Training Events \(PDF, 640 KB\)](#)
- [Directive on Engaging the Public Through Social Media](#)
- [Directive on the Use of the CBSA Brand: Corporate Identity](#)
- [Directive on the Use of Web 2.0 Tools and Services](#)
- [Discipline Policy](#)
- [E-cigarettes in the Workplace](#)
- [General Political Activity](#)
- [Guidelines for Abuse, Threats, Stalking and Assaults against Employees \(PDF, 334 KB\)](#)
- [Guidelines for the Directive on the Use of Wireless Technology](#)
- [Guidelines for \(ID\) Identification Cards \(PDF, 858 KB\)](#)
- [Guidelines for the Policy on the Use of Electronic Resources \(PDF, 440 KB\)](#)
- [Information Sharing Toolkit](#)
- [Leader's Profile](#)
- [LinkedIn](#)
- [List of Reportable and Exempt Assets and Liabilities](#)
- [Our Service Commitment](#)



[Policy on Abuse, Threats, Stalking and Assaults against Employees \(PDF, 372 KB\)](#)
[Policy on Disclosure of Customs Information: Section 107 of the Customs Act](#)
[Policy on Internal Investigations into Alleged or Suspected Employee Misconduct \(PDF, 334\)](#)
[Policy on the Use of Electronic Resources](#)
[Policy on the Use of Personal Electronic Communication Devices in the Workplace](#)
[Policy on Violence Prevention in the Workplace \(PDF, 282 KB\)](#)
[Political Candidacy Request Process](#)
[Post-Employment Considerations and Exit Interviews](#)
[Security Handbook \(PDF, 712 KB\)](#)
[Standard for Access Control \(PDF, 459 KB\)](#)
[Standard for Controlled Assets \(PDF, 494 KB\)](#)
[Standard for Security Incident Reporting \(PDF, 501 KB\)](#)

Acts and Regulations

[Access to Information Act](#)
[Canada Labour Code](#)
[Canada Occupational Health and Safety Regulations](#)
[Canadian Charter of Rights and Freedoms](#)
[Canadian Human Rights Act](#)
[Conflict of Interest Act](#)
[Copyright Act](#)
[Criminal Code](#)
[Customs Act](#)
[Financial Administration Act](#)
[Immigration and Refugee Protection Act](#)
[Privacy Act](#)
[Proceeds of Crime \(Money Laundering\) and Terrorism Financing Act](#)
[Public Servants Disclosure Protection Act](#)
[Public Servants Inventions Act](#)
[Public Service Employment Act](#)
[Public Service Labour Relations Act](#)

Treasury Board Secretariat Policies and Resources

[FAQs: Policy on Conflict of Interest and Post-Employment](#)
[Guidelines on Acceptable Network and Device Use](#)
[Occupational Safety and Health - Policies and Publications](#)
[Policy on Acceptable Network and Device Use](#)
[Policy on Conflict of Interest and Post-Employment](#)
[Policy on Harassment Prevention and Resolution](#)
[Policy on Legal Assistance and Indemnification](#)
[Social Media at Work](#)
[Uniforms Directive](#)
[Values Alive: A Discussion Guide to the “Values and Ethics Code for the Public Sector”](#)
[Values and Ethics Code for the Public Sector](#)

Other Resources

[Candidacy Process \(video\) \(PSC\)](#)
[International agreements on values and ethics](#)



[Political Activities Self-assessment Tool \(PSC\)](#)
[Public Sector Integrity Commissioner](#)
[Travel Directive](#)

- ⁱ Criteria adapted from the Millhaven Fibres Ltd., Millhaven Works, and Oil, Chemical and Atomic Workers Int'l Union, Local 9-670 (1967), 1 (A) Union-Management Arbitration Cases 328 (Anderson).
- ⁱⁱ "Grant" and "contribution" here have the same meaning as in the Treasury Board [Policy on Transfer Payments](#).
- ⁱⁱⁱ Assistant Deputy Ministers and their equivalents are subject to the [Lobbying Act](#). In the case of any conflict between this Code and the *Lobbying Act*, the Act takes precedence.