

# CODE OF CONDUCT

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## INTRODUCTION

The Alberta Labour Relations Board produced a Code of Conduct to establish rules and provide guidance to its members as it relates to their professional and ethical responsibilities. The Code of Conduct for members of the Labour Relations Board has been approved by the Board members and by the Public Service Commissioner's Office. All Board members are covered by the Code of Conduct. The Labour Relations Board's Code of Conduct is produced as a supplement to the Alberta Government Code of Conduct and Ethics which applies to Board staff.

## PURPOSE

The purpose of the Code of Conduct is to provide guidance to members, Chairs and Vice-Chairs, and maintain and enhance client and public confidence in:

- the integrity and competence of members;
- the fairness and efficiency of hearings; and
- the justice of decisions rendered.

The Labour Relations Board is a quasi-judicial administrative tribunal that has a number of roles:

- administering and enforcing Alberta labour relations laws;
- making judgments about the rights and liabilities of the parties that appear before it;
- setting Board policy and administering the legislation and Board procedures; and
- educating and communicating with the labour relations community.

This means Board members have a three-part role:

- adjudicative;
- policy/administrative; and
- ambassadorial.

The members of the Board are experienced labour relations practitioners. Members are appointed because of their activity and expertise in the field of labour relations. Members are not appointed simply as representatives of, or delegates from, particular interest groups. While the advice of the various interest groups in the labour relations community is customarily sought in making an appointment, the appointment is in part a reflection of the appointee's overall credibility in the labour relations field. No person or organization has any right to recall or censure any member, or

has a right to any influence over the member's conduct in respect of that member's Board-related activities. *These guidelines are not intended to negate an individual Board member's perspective, union or employer.*

### **Adjudicator**

In the role as adjudicator, the Board member participates as a member of a panel, normally comprising a Chair or Vice-Chair, one management Board member and one union Board member. Persons who appear before the Board are entitled to know that their rights will be decided fairly. Where those rights depend on policy considerations, as well as interpretations of fact and law, parties are entitled to be confident that the policy matters will be addressed fairly and impartially, free of irrelevant and inappropriate influences.

### **Board Policy/Administration Role**

The Board exercises its policy role when sitting in full caucus. Board members also participate in committees which recommend policy to the caucus. In this policy discussion environment, the Board member is free to bring to bear any relevant considerations the member's experience may have to offer on a topic in issue. It is vitally important that the Board fully explore all the consequences of any policy it may adopt.

### **Ambassador**

The Board member also acts as an ambassador for the Board. Board members serve an important role in explaining the Board's role to those in the labour relations community. The members help the rest of the Board, including those who serve full-time and the Board staff, to keep up to date with the concerns of those who work in the field. In turn, the member helps keep the parties informed about changes in Board procedures and policies.

## **CODE OF CONDUCT**

PRINCIPLE 1	A Board member shall act impartially and independently. Chairs and Vice-Chairs are, for a minimum period of six months, restricted from sitting on hearings involving a party or representative with whom they formerly were in a significant business, professional, or personal relationship.
PRINCIPLE 2	A Board member shall disclose all matters that would create a reasonable apprehension of bias including real and apparent conflicts of interest.
PRINCIPLE 3	Board members shall preserve confidential information obtained as a result of their appointment.
PRINCIPLE 4	A Board member shall decline assignments to panels with other members whom the Board member has appeared before as a witness, counsel, spokesperson or instructing representative until the decision in that case is released.
PRINCIPLE 5	A Board member shall act with integrity. In particular, a member shall not act

	in their self interest or further their private interests by virtue of their position or through the carrying out of their duties.
PRINCIPLE 6	Board members shall foster their expertise and professional competence and knowledge in adjudication, relevant law and hearing procedure.
PRINCIPLE 7	A Board member shall treat all participants with dignity, respect and fairness.
PRINCIPLE 8	A Board member shall foster a collegial approach in performing official duties and responsibilities.
PRINCIPLE 9	Board members are encouraged to express and exchange strongly held views in panel discussions on an issue of substance, as they work towards consensus in decision making, and in their discussions in Caucus or committee meetings.
PRINCIPLE 10	A Board member shall be active in Board affairs.