



NUCLEAR WASTE MANAGEMENT ORGANIZATION SOCIÉTÉ DE GESTION DES DÉCHETS NUCLÉAIRES

NWMO Code of Conduct

NOVEMBER 2018



Scope

This Code of Conduct applies to all of us – employees and contractors. While there are separate policies on employment equity, preventing workplace violence, human rights and harassment, transparency, procurement, media communications, environment, health and safety, financial management and internal control, and information technology management, they all describe appropriate business conduct and come under the umbrella of the Nuclear Waste Management Organization’s (NWMO) Code of Conduct.

Policy

Our Code of Conduct sets out expectations of behaviour and guiding principles for employees to act with fairness, honesty, integrity, and openness. We are committed to treating people with respect, equality, and dignity without regard to race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or a conviction for which a pardon has been granted or a record suspended.

As an employee, you should perform your work to the best of your abilities; use company assets as intended; safeguard sensitive and confidential information; perform your duties in accordance with all applicable laws, and company policies, procedures, and rules; and live the safety culture.

It is expected that you should support the vision and mission of the NWMO in all public interactions and demonstrate behaviours consistent with our values.

Vision

Our vision is the long-term management of Canada's nuclear waste in a manner that safeguards people and respects the environment, now and in the future.

Mission

The purpose of the NWMO is to develop and implement, collaboratively with Canadians, a management approach for the long-term care of Canada's used nuclear fuel that is socially acceptable, technically sound, environmentally responsible, and economically feasible.

Values

The fundamental values that guide the work of the NWMO include:

SAFETY

We place all aspects of public and employee safety – including environmental, conventional, nuclear, and radiological safety – first and foremost in everything we do.

INTEGRITY

We act with openness, honesty and respect.

EXCELLENCE

We use the best knowledge, understanding and innovative thinking, and seek continuous improvement in all that we do in our pursuit of excellence.

COLLABORATION

We engage in a manner that is inclusive, is responsive, and supports trust, constructive dialogue, and meaningful partnership.

ACCOUNTABILITY

We take responsibility for our actions, including wise, prudent and efficient management of resources.

TRANSPARENCY

We communicate openly and responsibly, providing information about our approach, processes and decision-making.

THE NWMO IS COMMITTED TO PROVIDING A WORK ENVIRONMENT THAT IS SAFE, WHERE EVERYONE IS TREATED WITH RESPECT AND DIGNITY. EVERY EMPLOYEE HAS THE RIGHT TO A WORKPLACE FREE OF HARASSMENT AND DISCRIMINATION.

Safe work environment

As an employee, it is expected that you:

- » Comply with all safety rules related to your job;
- » Take responsibility for your personal health and safety;
- » Report injuries, accidents and unsafe conditions in a timely fashion;
- » Not endanger or put at risk the health and safety of others;
- » Use and wear protective equipment, clothing and devices appropriate for your work activities;
- » Demonstrate fitness for duty while performing work. Fitness for duty includes being free from the influence of any legal or illegal substance that may impair judgment, co-ordination, and/or perception so as to adversely affect your ability to perform your job duties in a competent and safe manner; and
- » Treat others with dignity and respect.

EMPLOYMENT EQUITY

We are committed to being a workforce that is free of direct or indirect discrimination. Our goal is to build a highly qualified workforce that reflects the diverse population of the communities in which we operate.

DISCRIMINATION, HARASSMENT AND SEXUAL HARASSMENT

Discrimination and harassment can take many forms such as abuse of power, bullying, sexual harassment, etc. We are committed to providing a work environment in which all individuals are treated with respect and dignity.

Harassing comments or conduct can poison someone's working environment, making it a hostile or uncomfortable place to work, even if the person is not being directly targeted. This is commonly referred to as a poisoned work environment and is also a form of harassment.

Some examples of actions that can create a poisoned work environment include:

- » Distributing offensive email messages or attachments such as pictures or video files;
- » Practical jokes that embarrass or insult someone; or
- » Jokes or insults that are offensive, racist or discriminatory in nature.

Sexual harassment is defined as engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity, or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

What isn't harassment

Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, such as measures to correct performance or requesting medical documents in support of an absence from work. It does not include normal workplace conflict that may occur between individuals, or differences of opinion between workers.

The test of harassment

The test of harassment is whether you knew or *should have known* that the comments or conduct were unwelcome to another person. For example, someone may make it clear through their conduct or body language that a behaviour is unwelcome, in which case you must immediately stop that behaviour.

The harasser does not necessarily have to have the power or authority over the victim. Harassment can occur from co-worker to co-worker, supervisor to employee, and employee to supervisor.

WORKPLACE VIOLENCE

We are committed to providing a violence-free workplace for all employees and contractors. The NWMO will not tolerate any acts of violence, harassment, sexual harassment, or intimidation, and will take preventative measures to avoid violence or potential violence.

Violence that occurs outside the normal workplace, but has an impact on the working environment, including working relationships, may be considered violence in the workplace. For example, a physical altercation between two employees at a work-related function could be considered workplace violence.

DOMESTIC VIOLENCE

If you are experiencing domestic violence that would likely expose you, or other workers, to physical injury in the workplace, you should advise your manager or Human Resources. The NWMO will take every reasonable precaution to protect you and other employees. This may include some or all the following:

- » Creating a safety plan;
- » Contacting the police;
- » Establishing enhanced security measures; and/or
- » Facilitating your access to counselling through the Employee Assistance Program.

The NWMO appreciates the sensitivity of these issues and will assist you as discreetly as possible.

ZERO TOLERANCE

Workplace discrimination, harassment and violence will not be tolerated from any person in the workplace. All physical assaults involving an employee will be reported to police. Threats of physical violence will be reported to police, as appropriate.

An employee or contractor exhibiting violent behaviour is subject to discipline, up to and including termination from employment, as well as possible legal action. Any acts of violence made by an external party against an employee or a contractor may result in legal action.

You should report any incidents of workplace discrimination or harassment, as well as information about anyone who may have witnessed such an incident to the Vice-President of Human Resources and Chief Ethics Officer.

NO REPRISAL

Workplace violence, discrimination and harassment are serious matters. Our Code of Conduct prohibits reprisals against employees who have made good faith complaints or provided information regarding a complaint or incident of workplace violence. Employees who engage in reprisals or threats of reprisals may be disciplined.

- » Reprisal includes any act of retaliation that occurs because a person has complained or provided information about an incident of workplace violence;
- » Intentionally pressuring a person to ignore or not report an incident of workplace violence; and
- » Intentionally pressuring a person to lie or provide less than full co-operation with an investigation of a complaint or incident of workplace violence.

An employee who makes a false complaint or otherwise abuses this policy may be disciplined up to and including termination from employment. Such discipline is not a reprisal or breach of this policy.

Conflict of interest

In order to maintain the good reputation of the NWMO, you should avoid any situation that may create, or even appear to create, a conflict of interest. Business decisions should be based solely on merit and not on any actual or potential financial gain or advantage for you, a family member or a friend.

Our business is very complicated, and we have many stakeholders, including the public. It may not always be apparent to you as an employee about what might be seen as a conflict in the eyes of our stakeholders, and as such, management reserves the right to determine what may conflict with the NWMO's interests.

OUTSIDE BUSINESS INTERESTS

The NWMO recognizes and respects your right to engage in activities that are private in nature and do not conflict with or reflect poorly on the NWMO. A conflict of interest is a situation where you, or the organization you may represent or have an interest in, has a direct or indirect competing interest with the NWMO's activities. This competing interest may result in you being in a position to benefit from the situation, the NWMO not being able to achieve a result in the company's best interest, or the NWMO being presented poorly in the public eye.

While employed by the NWMO, it is expected that you will devote yourself exclusively to the NWMO's business, and that you will not be employed, either directly or indirectly, or engaged in any capacity in another business activity without prior written consent of the Vice-President of Human Resources and Chief Ethics Officer.

Further, you shall have no financial interest in any business entity that would detract or interfere with your full-time attention to the work you perform at the NWMO.

While employed by the NWMO, you must not be concerned with or have an interest in any relevant business or undertaking without the NWMO's written consent. Consent must be received from your manager/supervisor, and the Vice-President of Human Resources and Chief Ethics Officer. Disputes will be directed to the President.

COMMUNITY, PROFESSIONAL ORGANIZATIONS AND POLITICAL ACTIVITIES

The NWMO supports employees who wish to contribute to communities or professional organizations, or participate in political activities. You must seek approval in advance of engaging in any relevant outside activities by providing full disclosure in writing to ensure the NWMO is satisfied there will not be any negative impact or conflict of interest (real or perceived). If you are unclear about whether an activity is relevant or not, please consult with your manager. Requests should be submitted to your manager/supervisor, and the Vice-President of Human Resources and Chief Ethics Officer using the form *NWMO Declaration of Conflict of Interest*.

Participation in outside activities should take place during non-working hours, must not interfere or conflict with your work responsibilities or obligations, and should not use NWMO supplies, facilities, or other business assets. You may not serve as a director or an officer of any organization that supplies goods or services to the NWMO.

FAMILIAL RELATIONSHIPS

You cannot be directly or indirectly involved in a reporting relationship with someone with whom you have a familial relationship. Full disclosure to your manager/supervisor, and the Vice-President of Human Resources and Chief Ethics Officer of such a relationship is required. When in doubt about a possible conflict, ask your manager/supervisor or Human Resources for direction.

Given the relative small size of our organization, employee familial relationships can limit progression opportunities and can introduce complexity into the organization structure. To reduce the risk of a potential future conflict, the NWMO will generally not hire a candidate who has a familial relationship with any current employee or Board member. Exceptions may be considered when hiring from within local communities, provided there is pre-disclosure to Human Resources, reporting lines are clear of direct conflict, and the President approves the hire.

For the purposes of this document, the definition of familial includes anyone related by blood, marriage or common law.

GIFTS AND HOSPITALITY

Accepting gifts may influence or appear to influence the ability to make fair and objective decisions in the best interests of the NWMO. However, on occasion, it may be acceptable to give or receive a business-related gift or hospitality if it is of nominal value and is unsolicited. Examples could include things like a calendar or a branded water bottle.

It is important to keep in mind our work program, relationships with our communities and cultural traditions. The gift of tobacco, for example, is an important Indigenous tradition, and is an acceptable gift to give and to receive.

Gifts of cash are not permitted as this leaves the impression of a bribe, no matter how small the amount. In the event you are offered or provided with cash, please advise Human Resources immediately.

Consult with your manager/supervisor for advice on the appropriateness of accepting or offering gifts and/or hospitality. Where not appropriate, gifts should be returned with thanks and clarification of our policy, or suitably distributed in the community (e.g., donate to a charitable organization in the name of the gift-giver).

PROCUREMENT ACTIVITIES

Many of you will have opportunities to participate in the reviewing, scoring and selection of vendors. To ensure we have integrity on the selection process, it is important that you disclose upfront if you have any potential conflict with any of the potential suppliers. It is equally important that you keep the details of each proposal confidential. This includes sharing information contained in proposals to other staff or suppliers.

BREACH OF CONFLICT OF INTEREST

If you have a question as to whether a particular circumstance may place you in a conflict of interest, please discuss this with your manager/supervisor, or the Vice-President of Human Resources and Chief Ethics Officer.

Integrity and reputation

The NWMO's integrity and reputation are fundamental to the creation and maintenance of good relationships. All employees, despite tenure or subject matter expertise, are expected to request permission to post content or make public statements related to the NWMO or its employees.

While at work, you should not make any negative, false or harmful comments about the NWMO in public. You should also conduct yourself in a professional manner at all times, including in person, on the telephone, and in written correspondence.

As an employee, you are permitted to "like" and "share" content published by Stakeholder Relations on the NWMO-branded social media vehicles such as LinkedIn, Twitter, Instagram, and Facebook. However, you should never make public statements about the NWMO to the media, on social media networking platforms, or on social news websites (e.g., Reddit, etc.), unless specifically authorized to do so.

While we welcome you to share NWMO-owned content with your personal social media network, please be mindful you are not speaking on behalf of the organization, and refer public questions from your network to the NWMO's official channels.

This policy also extends to posting or responding in the comment section on news websites. Even if this is for personal use or behind a paywall or privacy wall, you are required to ask permission to publish content.

All requests for public comment should be directed to Stakeholder Relations. If provided with consent to comment, you must identify yourself as an NWMO employee. Any unauthorized comments related to the NWMO are considered a breach of trust.

OFF-DUTY CONDUCT AND SOCIAL MEDIA USE

As an employee, you have a responsibility to protect the reputation of the NWMO. Negative comments or conduct could have damaging effects on the company and employees who work here.

The NWMO respects your right to the personal use of social media; however, you should ensure your comments or conduct does not reflect negatively on the NWMO, and is consistent with this Code of Conduct and other applicable policies of the NWMO regarding confidentiality, information technology use, employment equity, workplace violence, human rights, and harassment. Employees should not post or publish any statements of fact or opinion that are, or may be reasonably taken by somebody to be, critical or disparaging of the NWMO's vision, mission, mandate, services, employees, members, partners, or stakeholders.

Employees should not engage in any negative, defamatory, false, or otherwise harmful comments or conduct against the NWMO, either at work, or outside of work. This includes all aspects of social media, including but not limited to Facebook, Twitter, LinkedIn, and YouTube, regardless of whether the comments or conduct take place on or off company property.

Working off-premises and business travel

The NWMO's Code of Conduct applies to all business activities and associated activities, including business travel or work performed off premises. It applies even if conventional practice is different in foreign jurisdictions during international travel.

Driving and use of electronic devices while driving

For some of us, driving is a regular part of our job; for others, it may be infrequent. In any case, it is important to take safety precautions such as not driving when tired, making frequent rest stops, and where possible, avoiding driving alone, in the dark, or in bad weather.

Employee safety is very important to us, and as such, we want to make sure expectations are clear in terms of the use of these devices while working or for work purposes. First and foremost, we expect that all employees will obey the law.

Using hand-held devices while driving is against the law in Ontario, and as such, **you must not answer or operate any hand-held electronic device while operating a vehicle.** We do not expect an immediate response to an email or phone call if you are driving, and you should not view, compose, or send email or text.

Although the law allows the use of hands-free electronic devices, the NWMO encourages use of hands-free **only when necessary and only if you are comfortable using it.** You should let phone calls go to voicemail if you do not have hands-free technology. If you are waiting for an important message, you should find a safe place to stop and park before reading or responding. The side of the road is not a safe place. Make sure you take the time to find an appropriately safe and legal place to park your vehicle (e.g., parking lot).

Anyone provided with a company phone will be asked to complete a form called *Use of Electronic Devices While Driving*, to ensure they have read and understood the company's position on the use of any hand-held electronic device while operating a vehicle safely.

Safeguarding company information and assets

You are provided with equipment, information, credit cards, and access to technology in order to effectively perform in your job. While there are other policies that govern these areas, an overarching expectation is that you will protect and safeguard all NWMO information and resources, and use them as the organization intended.

SENSITIVE AND CONFIDENTIAL INFORMATION

We all have the potential of receiving confidential or sensitive information in our positions. Sensitive information includes, but is not limited to, procurement activities; technical information, research reports and data; prototypes; demonstrations; computer systems and passwords; financial data; business plans; personal information; and trade secrets. It is important that you do not in any way divulge, furnish or make accessible to any unauthorized person or organization, either during employment, or any time thereafter, any confidential information entrusted to you relating to the business of the NWMO, NWMO member organizations, or other parties, subject to disclosure that may be required by law, or which has the consent of the originating parties.

At the end of employment with the NWMO, you will be required to return all confidential information acquired during employment. Misuse of information entrusted to you for purposes of conducting NWMO business is considered a serious breach of trust.

Additionally, it is important that you adopt appropriate practices to ensure that sensitive information is kept confidential and stored securely. Managers and supervisors also need to ensure any personal employee information is appropriately secured to respect and safeguard the individual privacy of employees.

COMPANY ASSETS

Assets of the NWMO include, but are not limited to, documents; computer systems and software; corporate logo and trademarks; facilities; vehicles; telecommunication devices; information; and office supplies. You have a responsibility to protect company assets, ensuring they are only used for NWMO business, and are safe from theft and destruction.

While company systems such as email or Internet are provided and intended for business purposes, limited responsible personal use is permissible. Usage must be limited and in accordance with the NWMO's policies and procedures. For security reasons, you must ensure your computer and office access passwords remain confidential. At the end of employment with the NWMO, you will be required to return all company assets acquired during your period of employment.

ELECTRONIC USE AND ACCESS

NWMO Internet facilities and computing resources are provided to conduct the business of the NWMO and should not be used to knowingly violate any laws or regulations. Misuse of equipment or accessing non-work related data could cause harm to the NWMO, and you are expected to use IT assets appropriately.

Consistent with our IT Policy, you should not:

- » Download, distribute or store any software without permission;
- » Download, distribute, or store any non-work-related data, music, games, or videos;
- » Attempt any unauthorized access of intranet, Internet, email services, or NWMO information. This includes the distribution of messages anonymously, use of other staff User IDs or using false identity;
- » Damage, delete, insert, or otherwise alter NWMO information carelessly or with malicious intent;
- » Use the intranet, Internet, or email in a way that could defame, harass, or abuse other intranet, Internet, and email users, individuals, or organizations;
- » Create, knowingly access, download, distribute, store, or display any form of offensive, defamatory, discriminatory, malicious, or pornographic material;
- » Deliberately propagate any virus, worm, Trojan horse, or trap-door program code; and
- » Knowingly disable or overload any computer system or network, or circumvent any system intended to protect the privacy or security of another user.

Please do not consider your electronic communication, storage or access to be private if it is created or stored at work using company assets, including desktop computers, laptops, smartphones, tablets, and other mobile devices. The NWMO reserves the right to monitor and audit any or all intranet, email or computing activity performed with company IT assets, including use of those assets for personal purposes. NWMO staff may be called on to explain their use of the intranet, Internet, email, or IT equipment.

Misuse of company IT assets as described may result in restricted access to information technologies, disciplinary action up to and including termination of employment, and reporting to relevant regulatory authorities as required by law. The NWMO may also turn over company IT assets to regulatory authorities to assist them in their investigation of unlawful activities.

If you become aware of any misuse of Internet facilities or computing resources to create, access, download, distribute, store, or display any form of offensive, defamatory, discriminatory, malicious, or pornographic material, you are encouraged to report this to the Vice-President of Human Resources and Chief Ethics Officer.

INTELLECTUAL PROPERTY

All work, including but not limited to documents, research work, and business plans, created by employees, agents, representatives, contractors, consultants, or business partners on behalf of the NWMO is designated as and remains the property of the NWMO in perpetuity. As an employee, you will respect the intellectual property of others and will adhere to all laws and contracts relating to intellectual property.

How to raise a concern

The **Chief Ethics Officer** position exists to ensure a strong ethical framework and program is in place to guide behaviour and surface employee concerns. It also serves as a central point of contact for employees to raise concerns or ask questions related to ethical behaviour, conflicts of interests or notable deviations from expectations outlined in this Code of Conduct. It also ensures that all reports are investigated and dealt with appropriately.

We all have a part in making sure our actions and behaviours are consistent with our Code of Conduct. Genuine and serious concerns should be brought forward in the following manner:

» **Raise your concern**

Discuss your concern with your immediate supervisor, Human Resources Manager or the Chief Ethics Officer.

» **Reporting by telephone, email or letter**

There should be no barrier to reporting a concern. While it is preferred that you bring forward the concern in person, there may be situations where you are not comfortable doing so or you wish to do so anonymously. You can report the concern to the Chief Ethics Officer by telephone, letter, email (ChiefEthicsOfficer@nwmo.ca), or alternative method, providing as much information as possible for the concern to be investigated.

» **Suspected fraudulent activity**

If the concern is related to accounting, auditing or any potential fraudulent activity, please report these directly to the Chief Ethics Officer or the Chair of the Audit, Finance and Risk committee of the Board, providing sufficient evidence of the concern.

INVESTIGATION

All reports will be taken seriously, and will be documented and investigated.

The Chief Ethics Officer will be responsible for investigating reported concerns. This could include using an external investigator if appropriate. If involved in an investigation, you are expected to co-operate and treat the matter confidentially. The results of the investigation will be communicated internally as appropriate and to the Chair of the Board.

NO REPRISAL

Retaliation for good faith reporting will not be tolerated. If you believe you have been a victim of retaliation, or are aware of or suspect retaliation against anyone else for reporting a concern, you should report this to your manager, a Human Resources Manager, or the Vice-President of Human Resources and Chief Ethics Officer.

Anyone who engages in retaliation or reprisal against someone who has made a good faith report will be subject to discipline.

Consequences

Those who do not comply with the NWMO's Code of Conduct, or anyone who knowingly makes a false statement, or a malicious or knowingly false allegation, or provides false information, may be subject to disciplinary action up to and including termination from employment and/or legal action.

There may be occasions when the Code of Conduct does not specifically address an ethical question or concern. In these cases, employees should consult their manager, or the Vice-President of Human Resources and Chief Ethics Officer.

By extension, parallel expectations and comparable associated consequences also apply to our agents, representatives, contractors, consultants, and business partners.

UNDERSTANDING AND ACKNOWLEDGMENT

It is important that all staff understand the expectations outlined in our Code of Conduct.

- » New hires will be provided with the NWMO's Code of Conduct in their offer letters, and it will form part of their orientation to the NWMO.
- » Managers/supervisors will review the Code of Conduct with their staff each year, or earlier if there are changes, to review the principles and reinforce the NWMO's expectations.
- » All staff will refresh their understanding each year by completing electronic confirmation that they have read the Code of Conduct and have had an opportunity to ask questions for clarification.

**For more information,
please contact:**

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