

The Electrical Safety Authority Code of Conduct

A Guide to Living Our Values



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The purpose of this Code

The Code of Conduct provides a framework within which all of our day-to-day activity takes place. It is driven by our Mandate as well as our Values; it also supports and complements our procedures as well as the various laws that apply to our operations. Finally, the Code of Conduct provides our Board of Directors and our stakeholders with a concrete statement of standards of conduct against which our actions can be measured.

Who does the Code apply to?

The Code of Conduct applies to all employees, directors, and other associates who work as part of the Electrical Safety Authority (ESA). This includes other “partners” of ESA such as consultants, agents and other suppliers who will be seen as part of the ESA team.

The Code of Conduct provides standards for ethical behaviour when dealing with other people – from employees, to customers, suppliers, government authorities and agencies and the general public. It deals with ESA both as a distinct organization and as a part of the society in which it operates.

What if someone violates the Code?

Compliance with our standards as outlined in the Code of Conduct is considered important, therefore actions that violate the Code of Conduct are considered serious. In order to protect the reputation and good name of ESA and all of its workers, ESA may be required to take action ranging from discipline of an individual through to termination depending on the seriousness of the issue.

In addition, if employees or others violate the Code of Conduct in areas where legal requirements are impacted they may also have personal legal liability.

Taking the test

- ✓ *How do I feel about the action I have taken? Was it “right”?*
- ✓ *Was my decision fair and equitable to those concerned?*
- ✓ *Have I used my personal position for undue influence or benefit?*
- ✓ *How would I feel about this action if it “got out”?*
- ✓ *How about if I read about it in the paper? What would I feel?*
- ✓ *What if I had to tell my children or a close friend about what I did?*
- ✓ *How would I feel if I had been on the receiving end of this decision?*
- ✓ *Can I stand in someone else’s shoes and see the decision from another perspective?*
- ✓ *Was my action within the letter of the law, as well as being fair and equitable?*

The Values of ESA

The Code of Conduct is based on the Organizational Values of ESA. These are:

ESA Values	
Safety	<p>We can and will make Ontario a safer place for all citizens.</p> <p><i>Our 'reason for being' is to improve electrical safety for the well-being of the people of Ontario. Therefore our work must always be guided by such considerations as: will my actions reduce a risk of harm?; prevent an accident, injury or fatality?; empower others to better protect themselves?; or otherwise advance safety?</i></p>
Leadership	<p><u>Leadership means always striving to do better, challenging assumptions, and welcoming new ideas.</u></p> <p><i>In order to realize our vision of eliminating electrical injuries, fatalities and damage, we must continually challenge the status quo. We must stay at the forefront of regulatory practice, be willing to try new approaches, and welcome new ideas.</i></p>
Collaboration	<p>We work best when we work together.</p> <p><i>We recognize that working in concert with other organizations seeking a common objective bolsters our capacity to create change. We will work with those who can contribute to electrical safety in the development of valued, sustainable solutions.</i></p>
Accountability	<p><u>We hold ourselves to the highest standards of responsibility and ethical behaviour.</u></p> <p><i>We retain public trust by adhering to the highest standards of governance and ethical behaviour and by using resources wisely in the pursuit of our vision.</i></p>
Integrity & Trust	<p>We will always take the high road.</p> <p><i>We will continuously earn the trust of the public, our stakeholders and partners. We promise fairness in the fulfillment of our responsibilities by adhering to the principles of good regulation including consistency, transparency and proportionality.</i></p>



In many cases, our conduct can be assessed against one or more of our Values. If in doubt of a particular decision, ask yourself how it would affect our Values.

As an ESA employee, you submit an expense report and get paid. When completing your expense report for the following month, you realize you miscalculated your kilometer travel for a meeting which resulted in an overpayment to you. This error was not noticed by anyone else reviewing the report.

A response with integrity would consist of correcting the error. Living with integrity means that you do the right thing regardless of who is watching.

Doing what is right, fair and honest

In order to build and maintain a reputation as a great place to work everyone at ESA must strive to ensure that trust, accountability and integrity are evident in everything we do and every decision we make.

Every time we have contact and work together with each other internally; every time we have contact with an external organization – be it an attendee at a training course, a homeowner, a contractor, a site electrician or a maintenance manager at an industrial plant. Every time we deal with suppliers, our sub-contractors or other agencies – every situation is a “moment of truth” in our ability to deliver on our commitment to be special.

The products and services that we offer must focus on “adding value” for our customers – whether it is improving safety, efficiency or effectiveness. We must deliver them with integrity.

In our public dealings our statements must be accurate, truthful and not misleading. If we are asked to investigate problems that have occurred our response must be balanced and free from bias – based on the facts of the situation. In our regulatory dealings we must always respect all applicable codes, standards and legislation and strive for consistency in interpretation.

Most of all, we must ensure we do not use our regulatory mandate to gain an unfair competitive advantage.

Be guided by the principle - if something feels wrong it probably is wrong. If you are uncertain about a situation ask a co-worker or seek advice elsewhere. It is better to think about an action before than regret a decision afterwards.

Working to the letter of the law

Every person governed by this Code of Conduct must become familiar with and adhere to the laws and standards that apply to their work. In many cases we cannot do our job without this knowledge.

If you are ever uncertain as to legal requirements or how they apply to ESA, you should discuss the matter with your manager or the VP & General Counsel. If your question is related to Code interpretation or a technical matter it should be discussed with a Technical Advisor, Code Engineer or the Chief Engineer.

Respect for yourself and others

Health and Safety

ESA is committed to safety as a core value in the way that we deliver our services and conduct our work on behalf of our clients. This commitment extends to everything that we do within our organization. Each of us must at all times be aware of working conditions and do nothing to jeopardize our own safety or that of anyone else.

It is each employee's responsibility to be fit for duty while engaged in company work, present on company property or using a company vehicle and aware of and comply with ESA's Health and Safety Policy, Program and Procedures. The incident reporting system must be used to ensure all health and safety issues are addressed promptly and effectively.

Diversity, Discrimination and Harassment

At ESA we value the experience and unique skills and abilities of each individual and are committed to maintaining a workplace that reflects and supports diversity.

At ESA we will not tolerate any form of harassment or discrimination against any group or individual whether it be employees, customers, suppliers, job applicants or others we may deal with in the course of our employment. This includes specifically those identified under the prohibited grounds of the Ontario Human Rights Code (race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, family status, or disability). All are entitled to be treated with dignity and respect. Recognizing the importance of this principle, ESA's Board of Directors approved a Policy on Diversity, Mutual Respect and Violence in the Workplace which managers are required to review with their staff annually.

Objectionable conduct, comments or displays made on either a one time or continuous basis that belittle, demean, or cause personal humiliation or embarrassment, are considered to be forms of harassment.

A General Manager gets a call from a large CSS customer who is concerned that the new inspector assigned to the account may not "...fit in – if you know what I mean – my maintenance folks would feel much more comfortable with a man. Maybe the guy we used to have could be put back on the inspection...?"

When the General Manager thinks about this year's budget and the amount of the revenue from this client that may be at risk it is difficult not to agree to the customer's request. On the other hand the request clearly violates the law and the Code of Conduct. The General Manager knows that the right decision is to work the issue through with the client and try and show how it is not in either ESA's or the client's own interest to make a change on the basis of this kind of discrimination.

Protecting our Environment

Future Generations will judge us on how well we have looked after the world they inherit. How will they rate us?

We have the opportunity to make important contributions to the quality of the environment – whether by supporting recycling programs in the office, or ensuring our vehicles are maintained to minimize harmful emissions. Everyone at ESA has a role to play in protecting the environment and supporting the principles of sustainable development.

Continual development and learning

Every employee contributes to improvement and innovation in the organization. Learning is not restricted to formal training and education. It is also achieved through being open to new ideas, trying new approaches, learning new skills and sharing and communicating what we know. ESA is committed to being a learning organization by using these approaches in our everyday work.

An ESA employee shares with her supervisor that she is interested in expanding her skill set so that she may grow within the company. The HR department recently announced that applications are being accepted for participation in the Leadership Academy. The supervisor encourages the employee to apply.

ESA is committed to providing development opportunities to staff and by providing formalized leadership training. Those who are interested may apply for participation in a one year training program. Leadership training is provided in a safe environment that fosters individual growth.

Respecting property

On a daily basis many ESA employees will come into contact with property belonging to others. This property may be owned by ESA, by clients or others. We should treat this property with the care we would expect for our own property. If an employee accidentally damages property while performing employment responsibilities, the employee is expected to acknowledge responsibility, and notify his or her supervisor so corrective action can be taken.

In addition, every ESA employee who uses company property including vehicles, office and technological equipment is expected to treat the property with care and not to use it in any way prohibited by an ESA policy or procedure or for personal gain.

Treatment of our Customers and Clients

Our Values identify our customers as being very important – both in terms of protecting public safety and in the way in which our services should reflect and satisfy their needs.

Providing a Quality Service

ESA is committed to following through on its service and quality commitments to customers. This means making commitments we can keep and delivering on these commitments. Interacting with our clients on an ethical, open and honest basis is critical to providing a quality service.

Our customers and clients will judge us and value us based on every one of our interactions with them. As a team we are committed to building our reputation as a quality organization delivering services that add value for the customer.

Ensuring Fair Competition

ESA is committed to operating within its' mandate and in a marketplace that supports fair competition. To achieve this, no employee of ESA should use the organization's legislative mandate or any powers of approval or compliance to create a situation that is viewed as being unfair to other competitors.

An inspector carries out a routine inspection of an expansion in a manufacturing facility. In the course of the inspection, the inspector comes across a piece of equipment that has been installed and is ready for use. However the equipment was custom manufactured by a US based supplier and does not have any approval label.

The inspector tells the customer that ESA has a product approvals service and a temporary approval for service can be granted. However if the customer wants to use another approvals authority, then the inspector will have to withhold approval to energize the system. The General Manager hears about this and has to let the inspector know that while the intent may have been good, this type of leverage is unfair competition.

Handling Complaints

Everyone who deals with ESA has the right to expect good service and to have access to a process for addressing concerns without fear of reprisal. Complaints should be taken seriously and used as learning experiences. Even if a complaint is unfounded it can be seen as an opportunity to build a positive relationship. ESA has a Complaints Policy and Procedure and every employee is expected to support its use.

Avoiding conflicts of interest

It is essential to identify situations, which are or could be seen as giving an individual personal benefit in addition to or at the expense of ESA. ESA will be judged on the basis of how its employees conduct themselves in such situations.

While conflict of interest situations are most likely to occur when dealing with customers or suppliers there are a variety of situations that should be considered. If ever you have doubts about the appropriate course of action discuss it with your manager or the VP & General Counsel.

Dealing with suppliers

Suppliers will be selected on the basis of fair competition, ability to perform the work required to the standards and specifications expected and a business reputation consistent with ESA's Values. Prejudice, preferential treatment or potential personal gain to any individual must never be factors in choosing suppliers. Employees who deal with suppliers must act with complete objectivity.

No special conditions or benefits will be sought from suppliers that in any way impact the supplier's ability to operate in a free market; nor will any ESA employee use supplier relationships to solicit gifts or other benefits as a condition of doing business with any supplier.

Acceptance of gifts

Every ESA employee must be cautious about accepting any gifts from customers or suppliers. Such action can easily be misinterpreted both internally and externally and lead to a feeling of obligation between the two parties that extend beyond the objective business decision making process.

The nature of the relationship with ESA, the value of the gift and the circumstances in which it is offered must all be considered. Such situations could range from the offer of a bottle of alcohol to an inspector by a customer, to the offer of a state-of-the-art computer to a senior executive by a hardware supplier. It is not good practice for employees to accept gift(s) from customers during their employment with ESA. As a general rule any offer of a gift from a customer should be declined. With the exception of gifts of nominal value, gifts from suppliers should also be declined. However, if an employee does decide to accept a gift(s), the total value of the gift(s) must not exceed \$15 in cash value unless approved by their manager. Under no circumstances should a gift(s) be accepted where there is a possibility where the acceptance of the gift(s) could be construed as influencing a business decision of the employee. In general, employees should pay, rather than accept lunches from customers.

An ESA manager is looking for consulting services and a supplier who is tendering on the contract offers an expense paid trip to Florida which includes a one-hour meeting with a Florida based client of the consultant during the visit. The account representative explains that there are no strings attached, it is just a trip that has come up.

The ESA manager thinks this through and in spite of a desire to visit Florida in the winter, declines the offer.

Business Entertainment

ESA employees will have the opportunity to entertain or be entertained by customers, suppliers or business partners. While this is often an important part of relationship building, employees should use prudent judgement in both the decision to do this, and the level of expense incurred for the entertainment.

ESA employees should ensure that in offering or accepting meals, social or recreational outings, there is a genuine business benefit to ESA and the value of the entertainment is appropriate given the circumstances.

Outside employment or business activity

ESA employees should consider and avoid potential conflicts of interest in decisions to engage in outside business or employment activities. While an ESA team member, the employee's focus and commitment must be ESA. No employee should be involved in outside employment or a business if the employment or business competes directly or indirectly with a product or service offered by ESA or the activity would or could be seen as influencing a business decision of ESA or an ESA employee. Company property or supplies should not be used for such purposes nor should non-ESA work be performed on company time. If you have any doubt about a particular situation talk to your manager.

A company that provides training services to ESA asks an ESA employee to join their Board of Directors. They believe the employee's knowledge and skills would be of benefit to the training company and assure the employee there would be no pressure to influence ESA decisions on continued use of the company as a supplier to ESA. The employee genuinely believes this to be the case but declines the invitation. It could be seen as a conflict of interest even with the best of intentions.

Participating in other outside activities

ESA encourages employees to participate in their communities and to contribute their time and effort for worthy causes. Employees should discuss such involvement with their Manager to obtain guidance if there is a question about the time commitment or nature of the organization. In participating in such activities ESA employees should make it clear they are doing so as individuals and not as representatives of ESA.

In addition, employees should not allow themselves to be committed to providing either financial or any other support on behalf of ESA.

Participating in industry associations and other business related activities

In some cases specific ESA employees may be either asked by their manager or volunteer to participate in an industry or trade association related to ESA's business.

While ESA is committed to supporting such organizations, employees carrying out this role should ensure that they exercise caution in presenting positions or making commitments without discussion with their manager.

Both the sponsoring manager and the employee must ensure that a clear position is developed on behalf of ESA for such discussions, and that internal communications are maintained within ESA based on the feedback from such discussions.

Access to information and maintaining confidentiality

ESA employees have access to large amounts of information – some of which could be of value to external individuals or organizations. Being in a position of trust, all employees are expected to treat all such information as confidential unless the information is otherwise public.

Guidelines for general access to information are covered by ESA's Access and Privacy Code and internal procedures. If in doubt employees should consult their manager or the VP & General Counsel for guidance. As a general guideline, unless it is clear from ESA policies and procedures that information can be disclosed, be led by the tendency to be reserved and prudent in what you disclose.

An ESA employee is responsible for the Authorized Contractor Program and monitoring the level of defects and compliance of contractors with ACP requirements.

A friend tells the employee of plans for a renovation which involves electrical work and asks the employee about ESA's experience with a particular contractor. The employee knows that the contractor has an unsatisfactory record and is about to be suspended from ACP.

Bearing in mind the obligation to respect confidentiality, while at the same time wanting to ensure public safety, the employee suggests the friend look at two or three alternative contractors. The employee makes some suggestions about where to look, what questions to ask contractors and also suggests each contractor be asked to provide a few references.

ESAFE's impartiality commitment

ESAFE (Electrical Safety Authority – Field Evaluation) is governed by Ontario Regulation 438/07 which regulates product safety. ESA is responsible for the impartiality of its evaluation activities and does not allow commercial, financial or other pressures to compromise its impartiality. ESA does not provide any other products or services which could compromise the confidentiality, objectivity or impartiality of its inspection or evaluation process and decisions. ESA is committed to identifying risks to ESA's impartiality, such as from those that may arise from other activities, or relationships with customers on an ongoing basis.

ESA is committed to take appropriate actions in response to any risks to its impartiality, arising from the actions of other persons, bodies or organizations, of which we become aware. All issues identified will be considered important to the future success of the organization, and as such will be recorded, discussed with key stakeholders, and recommended solutions will be implemented as soon as is reasonably feasible. Follow up on and correction of these situations is an integral part of ESA's core values.

ESAFE's conformity assessment activities are separate from the ESA's regulatory mandate and both parts of the organization ensure that the impartiality of these activities is not compromised. The relationship of ESA and ESAFE is governed by the Administrative Agreement

(AA) between ESA and Her Majesty the Queen in Right of Ontario (the "Crown") as represented by the Minister of Consumer Services.

Appropriate personal conduct

Throughout this Code of Conduct, we have tried to focus on using "good sense". The subject of ethics is a difficult one and it is impossible to set absolute rules about how everyone should act in every possible situation on a daily basis. In some cases there will be ESA policies and procedures which will provide guidance. If there are not, the onus is on you to consider the issue in light of ESA's Values.

To be seen as a well-run and well-respected organization, we need to be consistent and self "policing" when it comes to issues related to conduct.

To support this expectation, it is important that individual conduct be seen as reflecting on ESA as an organization. This means raising concerns and issues with co-workers and managers if we are personally unsure of a situation and need guidance for our own conduct or have concerns about the conduct of another person which is inconsistent with this Code.

Whistle-blowing

The ESA considers the standards prescribed in the Code as paramount to the integrity and credibility of the organization and its staff. Any action that violates the Code should be reported to the Chief Ethics Officer:

Electrical Safety Authority 155A
Matheson Blvd. West Mississauga,
ON L5R 3L5 Attention: Chief Ethics
Officer Fax: (905) 507-4712
Email: chiefethicsofficer@electricalsafety.on.ca

Living our commitment

As a closing note there are two requests we ask of everyone.

First – get advice

Our Code of Conduct is an important part of becoming and sustaining the kind of organization we all want to be. If you have ANY questions about Code of Conduct issues PLEASE raise them with your manager or the VP & General Counsel. Where appropriate such discussions will be held in confidence.

...and finally

Every year we will be asking all employees to complete a review of the Code of Conduct and their obligations under it. This action will affirm our commitment to these standards.

