

# **Values and Ethics Code**

## **for Government of Yukon Employees**

### **GAM 3.63**

Part 1

Values and expected behaviours

**Yukon**



## Introduction: Why we have a Values and Ethics Code

The Yukon government has a diverse and talented workforce that is highly committed to serving Yukoners. Employees of the Yukon government are entrusted with valuable resources and important responsibilities to serve the public interest<sup>1</sup>. Our individual and collective actions directly and indirectly touch the lives of all Yukoners, who are counting on us to be professional, effective and honourable in all that we do.

As an employer, the Yukon government is implementing the strategies of the [People Plan](#) to help public servants reach their potential and deliver the best service possible to Yukoners. We are continually working to improve our systems and processes to support public servants and to make the Yukon government an effective organization.

Earning and upholding Yukoners' confidence that we are working in the public interest is also an ongoing process. A Values and Ethics Code promotes a workplace culture that supports each employee in this effort. It promotes a shared understanding of our expectations of one another as members of the Yukon government public service.

It is our responsibility as employees to know the values and behaviours described in the Code and to integrate them into our decisions, actions and work culture.<sup>2</sup> Similarly, it is the Yukon government's responsibility, as the employer, to support employees in conducting their work according to this Code. That means managing employees' work in line with the values of the Code; treating employees fairly; and providing them with the tools, training and guidance they need to do their jobs in an ethical way.

This Code sets out standards that apply to all Yukon government employees. Individual departments may also establish codes specific to some or all of their employees that embody and build upon the values and behaviours detailed in this corporate Code.

### 1. Core values

Our work as public servants is guided by a set of core values that are crucial to the good governance and success of a representative democracy. These values are:

- **Integrity** (our personal honesty and credibility)
- **Respect** (how we treat and work with people)
- **Stewardship** (the quality and results of our work)
- **Responsibility** (our role in working for a government)

Our public service core values are our compass – when we are uncertain about the right path to take, they point the way. They also give rise to the everyday behaviours that are expected of us and that we may expect of each other. When we work for the Yukon government, we have a duty to model and promote the expected behaviours outlined in this Code.



## 2. Expected behaviours

### A. Integrity

As public servants, we must behave in a manner that is worthy of the trust given to us by our employer and the public. Our conduct must hold up to close public scrutiny, and we are expected to put the public interest ahead of our own personal interests.

In practice, each of us must:

- 1) Be honest, fair and impartial in our dealings, decision-making and reporting.
- 2) Be fully accountable for our decisions and actions, and prepared to admit mistakes, setbacks and inconvenient facts.
- 3) Not use government property, funds, resources or work time for personal, unauthorized or illegal purposes.<sup>3</sup>
- 4) Not use our official role or internal access to information to gain an inappropriate advantage for ourselves, or to create an inappropriate advantage or disadvantage for others.<sup>4</sup>
- 5) Take care that our off-duty conduct does not undermine our effectiveness as government officials, nor harm the reputation of the government.<sup>5</sup>

### B. Respect

Employees of the Yukon government are part of a large, diverse organization that is expected to be professional, productive and responsive to citizens from all walks of life. When at work, each of us is a representative of our employer, and we are called upon to consider and respect the diverse backgrounds, viewpoints, needs and rights of others.

In our role as public servants, each of us must:

- 1) Treat every person we deal with – internally and externally – with respect,<sup>6</sup> courtesy and fairness.
- 2) Contribute to making the Yukon government an inclusive, welcoming, and constructive place for every person to work and conduct business.
- 3) Work with each other in a spirit of openness, mutual support and collaboration.<sup>7</sup>
- 4) Contribute to a respectful workplace where all people are treated with dignity and protected from discrimination based on gender identity and expression, sexual orientation, Indigenous identity, ethnicity, age, disability, or other identity factors.<sup>8</sup>
- 5) Do our part to ensure respectful government to government relations with First Nations to advance reconciliation with Indigenous people, which includes implementation of Final Agreements.



- 6) Do our part to protect and not endanger the physical or psychological health, safety and well-being of others in the workplace.

### C. Stewardship

Yukoners rely on us to be good at our jobs – to provide excellent service and make the best possible use of the funds and resources entrusted to our care. As stewards of public assets, we must be sure to balance today's needs for fiscal and natural resources with the needs of future generations.

In practice, each of us must:

- 1) Provide timely, competent and culturally safe client-focused service, including ensuring the safety and well-being of those in our care.
- 2) Respect the merit principle<sup>9</sup> as we hire for positions or pursue opportunities within the public service.
- 3) Make efficient and effective use of public money and assets to ensure the public receives maximum benefit from government decisions and spending.
- 4) Within the scope of our duties, make efforts to assess and steadily improve the efficiency and effectiveness of our services and practices.
- 5) Use public resources responsibly, recognizing that the decisions we make today can have long-term and compounding impacts on citizens and the environment.

### D. Responsibility

Each of us is hired and paid to serve the public interest, as determined by our democratically elected government and expressed in the law and the Constitution. Together, we comprise a non-partisan workforce that is expected to deliver quality public services and support the government of the day to achieve its mandate.

In practice, each of us must:

- 1) Faithfully carry out our official duties and the lawful instructions of our supervisors and leaders.
- 2) Provide our decision makers with impartial, thorough and honest advice, regardless of our personal or political views.
- 3) Uphold the letter and spirit of the law, and comply with all government policies and procedures that apply to our work and employment.
- 4) Refrain from disclosing, without proper authority, government information that becomes known to us solely through our employment.<sup>10</sup>
- 5) Balance our civic right to freedom of expression with our responsibility to maintain public confidence in both the government and the public service.<sup>11</sup>



# ENDNOTES

1. For the purposes of this Code, the public interest is: 1) what is good for and expected by the general population, such as quality education and health care; 2) what is required by the law; or 3) what a democratically elected government, which represents and is accountable to the public, determines should be done. In the Yukon, the public interest also includes respectful relations between the Yukon government and Yukon First Nation governments, and ongoing reconciliation with Indigenous people in the Yukon.
2. The core values identified in the Values and Ethics Code are not the only organizational values that Yukon government employees may be expected to observe.
3. GAM Policy 3.39: *Conflict of Interest* prohibits public servants from using government equipment, facilities or property to further their personal or private interests and sets out procedures for resolving conflicts of interest. GAM Policy 2.11: *Government Fleet Vehicles* limits the use of government vehicles to “assigned government business.” The Computer Use Guidelines allow limited use of government computers for “acceptable personal or educational activities.”
4. Conflict of interest issues are addressed in greater detail in GAM Policy 3.39: *Conflict of Interest* and a companion guide. GAM Policy 1.14: *Post-Employment Restrictions* addresses conflict of interest and improper use of inside information by employees who have recently left their government positions.
5. As a matter of law, an employee’s off-duty conduct may be investigated and possibly disciplined where the behaviour undermines the reputation or authority of the employer, creates a hostile work environment or otherwise damages the employment relationship.
6. Expectations for the respectful conduct of Yukon government employees toward one another are described in GAM Policy 3.47: *Respectful Workplace*.
7. Expected behaviours requiring collaboration and the maintenance of trust and goodwill may include respectful disagreement.
8. GAM Policy 3.47: *Respectful Workplace* affirms the responsibility of deputy heads to protect employees from disrespectful conduct in the workplace, including discrimination. This responsibility stems from the legal obligation of Yukon employers to address and take care to prevent discriminatory conduct in their workplaces (as required by s.35 of the Yukon Human Rights Act).
9. The *Public Service Act* requires that appointments to the public service be made on the basis of “merit,” which takes into account a person’s knowledge, abilities and suitability for a position. The Act also allows employment equity measures to improve the employment prospects of disadvantaged persons or groups. When such measures are employed, the merit principle still applies (i.e. candidates must have suitable qualifications). GAM 3.55 *Employment Equity* identifies employment equity groups: persons of Yukon First Nations ancestry; women; persons of aboriginal ancestry; and people with disabilities.
10. The requirement to manage government information appropriately is a key part of the Oath of Office affirmed by Yukon government employees when they join the public service. The text of the Oath of Office is established in GAM Policy 3.16: *Employee Documentation, Oaths and Personal Information*. Employees making inquiries or disclosures in accordance with the *Public Interest Disclosure of Wrongdoing Act* are considered to have proper authority to disclose government information related to the matter under discussion.
11. This responsibility, also known as the “duty of loyalty,” requires public servants to perform their duties to the best of their ability and to recognize that the interests of the government (their employer) exist alongside of their own private interests. This duty includes exercising caution when making public and social media comments on government policy or practices. Public servants must recognize that their government role may lend undue weight to their personal opinions. They must also be aware that the substance or manner of their public commentary may erode public trust in them as individual officials, or in the entire public service. Additional guidance can be found in GAM Policy 1.4: *Speaking in Public and Writing for Publication*, and GAM Policy 3.39: *Conflict of Interest*.



# **Values and Ethics Code**

## **for Government of Yukon Employees**

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Part 2

Administration of the Code



## 1. Who must follow this Code

The Values and Ethics Code applies to everyone who is hired under the *Public Service Act* and the *Education Act*, including contract and casual personnel. This includes “deputy heads” (deputy ministers and corporation presidents) and the staff of all government departments. Deputy heads are responsible for ensuring all employees in their organization are made aware of the Code and periodically reminded of its contents, including any updates.

## 2. Other conduct codes that may apply

Yukon government departments and agencies may have their own codes for some or all of their employees. When this is the case, affected employees are expected to comply with both the departmental and government-wide codes.

Employees who are members of a professional association or who receive credentials from a certification or licensing body may be subject to an additional code that applies to their profession. Whenever these affiliations or credentials are part of an employee’s conditions of employment, the employee is also expected to adhere to the professional code and maintain the condition of employment.

## 3. Conflicting obligations or instructions contrary to the Code

If an employee feels they have conflicting obligations under this Code, or under different codes, they can seek clarification from either their immediate supervisor or their HR manager or director. If the concern relates to a professional code, an employee may also ask for advice from their professional association (while keeping in mind their Oath of Office duty relating to information disclosure). If after making these inquiries the employee still has concerns, they may seek direction from their deputy head, who will advise in writing how they should carry out their various responsibilities. If the employee’s concern persists, their next step is to request final written direction from the Public Service Commissioner.

If an employee believes that they are being asked or required to act in a way that is contrary to the Code, their steps for seeking clarification are the same as above, with one exception: the chain of inquiry may bypass anyone whose instructions are the cause for concern.

## 4. Seeking advice

This Code does not provide direction nor have an answer for every situation. When an employee has an ethical dilemma or questions about the Code or an expected behaviour, their first steps are to:

- reflect on the matter and consider, “What would be in the best interests of the public?”;



- refer to other values and ethics documents (as outlined in the Appendix of this Code), and seek the advice of those who administer them; or
- seek the opinion and advice of their colleagues, supervisor, HR staff or deputy head.

#### A special note about conflict of interest

The [General Administration Policy 3.39, Conflict of Interest](#), obliges employees to disclose to their deputy head when the employee may be in an actual or perceived conflict of interest. The deputy head is responsible for considering the matter and making any related decisions. In doing so, deputy heads may choose to seek related guidance from the Public Service Commission.

The *Public Service Act* contains specific provisions on conflict of interest for deputy heads.

### **5. Potential breaches of the Code reported by a public servant**

When an employee is aware of actions that may be contrary to the Code or has information that could indicate a breach of the Code, they can report the matter in confidence to their immediate supervisor or their senior HR official (manager or director). However, if the matter relates to a significant and serious “wrongdoing” as defined in the *Public Interest Disclosure of Wrongdoing Act*, related advice can be sought from, and disclosures can be made only to, the persons specified in that Act. (See “Disclosure of Wrongdoing” below.)

Supervisors who receive reports of potential misconduct will bring the concern to their HR manager/director, who will advise on the matter, work with the relevant supervisor to resolve it, or refer it to an appropriate expert or authority. If the matter concerns an employee in another department, the HR officer receiving the report will refer the matter onward to the HR manager/director of the employee’s department.

In some cases, there may be an existing policy and resolution process to deal with an issue, such as an issue of disrespectful conduct. When this is the case, resolution will be pursued through the established process.

A serious or unresolved matter may be raised with the relevant deputy head, who will consider it, gather more facts if necessary and decide what should be done. The deputy head may consult with, or refer the matter to, the Public Service Commissioner. If the matter is referred, then it is the Commissioner who will decide on the outcome.

The sequence of reporting and referral described above will bypass any public servant whose actions are the conduct that is under review, or whose involvement in the process would be a conflict of interest. An employee whose conduct is under review will be duly notified by someone who is addressing the concern and given an opportunity to speak to the matter in writing or in person.





## 6. Potential breaches of the Code reported by the public

Members of the public who believe that a Yukon government employee has not acted in accordance with the Code may bring their concern to the attention of any official within the employee's department or agency. This official, in turn, will refer the matter to their departmental HR manager/director, who will follow up with the complainant (if known) and pursue next steps as outlined above for internal reporting. If the employee whose conduct is at issue happens to be the deputy head, the matter will instead be referred to the Public Service Commissioner who will look into it and decide on next steps.

## 7. Disclosure of wrongdoing

Some breaches of the Code may be a “wrongdoing,” which has its own inquiry and resolution process. Under the *Public Interest Disclosure of Wrongdoing Act*, a “wrongdoing” is an unlawful activity; an act or omission that creates a substantial and specific danger to the environment or to the life, health and safety of individuals; or gross mismanagement of public funds or a public asset. It is also a wrongdoing to knowingly direct or advise someone to do any of the things described.

When an employee follows the process set out in the Act to either report a wrongdoing or seek advice about doing so, they are protected from reprisal for coming forward.

Under some laws, such as Yukon's *Financial Administration Act* or *Child and Family Services Act*, there is a legal obligation to report suspected unlawful activity directly to the appropriate authorities. This obligation applies even if an employee has elected to seek advice or make a disclosure under the *Public Interest Disclosure of Wrongdoing Act*.

## 8. Safety to seek advice, or to raise or report concerns

The Yukon government is committed to ensuring its employees are not penalized for seeking advice, raising concerns, or reporting potential misconduct in relation to the Code. Any concerns an employee may have about possible reprisal should be brought to the attention of their HR manager/director or their deputy head. If the employee feels both of these officials may be involved in a possible reprisal, they may instead bring their concern to the Public Service Commissioner.

## 9. Consequences for breaches of the Code

A public servant's failure to uphold the values and expected behaviours identified in the Code may be considered a breach of the Code and the terms of employment. A failure to follow the procedural requirements set out in Part 2 may also be considered behaviour contrary to the Code. Breaches of the Code may lead to discipline, depending on the circumstances. Code breaches that are offences under the law may also be addressed through other applicable proceedings.



## **10. Effective date and revision of the Code of Conduct**

This Code was approved by the Deputy Ministers' Review Committee on March 21, 2023. Part 1 of the Code may only be amended by the Committee. The Public Service Commission has the authority to amend sections 2-9 of Part 2 of the Code, the Appendix and the Endnotes, and may publish other documents to assist with the Code's interpretation and administration.



## Key values and ethics documents\* for the Government of Yukon

- ✧ [Access to Information and Protection of Privacy Act](#)
- ✧ [Education Labour Relations Act \(s. 112-113\)](#)
- ✧ [Financial Administration Act \(s. 77\)](#)
- ✧ [Health Information Privacy and Management Act](#)
- ✧ [Human Rights Act](#)
- ✧ [Occupational Health and Safety Act](#)
- ✧ [Public Interest Disclosure of Wrongdoing Act](#)
- ✧ [Public Service Act \(s. 85-86; Parts 9 and 13\)](#)
- ✧ [People Plan](#)
- ✧ [GAM Policy 1.4: Speaking in Public and Writing for Publication](#)
- ✧ [GAM Policy 1.6: Gift Policy](#)
- ✧ [GAM Policy 1.14: Directive on Post-Employment Restrictions](#)
- ✧ [GAM Policy 2.11: Government Fleet Vehicles](#)
- ✧ [GAM Policy 2.27: Privacy Management](#)
- ✧ [GAM Policy 3.16: Employee Documentation, Oaths and Personal Information](#)
- ✧ [GAM Policy 3.21: Clothing and Staff Uniforms \(paragraph 2.2.2\)](#)
- ✧ [GAM Policy 3.25: Security Clearances](#)
- ✧ [GAM Policy 3.39: Conflict of Interest](#)
- ✧ [GAM Policy 3.47: Respectful Workplace](#)
- ✧ [GAM Policy 3.48: Corporate Health and Safety](#)
- ✧ [GAM Policy 3.62: Substance Use and Impairment](#)
- ✧ [Computer Use Guidelines](#)
- ✧ [Conflict of Interest Companion Guide \(goes with GAM 3.39\)](#)
- ✧ [Conflict of Interest Supplementary Instructions \(Dept. of Education\)](#)
- ✧ [Guiding Principles for the Use of Social Media \(Principle #2\)](#)

\* The above list does not include professional codes or departmental policies, guidelines or codes. The above list includes only the Acts, regulations and corporate policies that govern the ethical conduct of employees hired under the Public Service Act or Education Act.

The acronym “GAM” refers to the Yukon government’s General Administration Manual.