

STANDARDS OF PERSONAL BEHAVIOUR ABROAD

While serving abroad, employees of the Department have the responsibility to ensure that their behaviour both on and off the job and that of members of their families at the mission does not discredit or adversely affect Canada's image or relations. To aid employees in meeting this responsibility the Department has issued the Code of Conduct and Conflict of Interest Guidelines which set standards of personal conduct for service both at home and abroad. The Code recognizes that when abroad employees often assume responsibilities additional to those commonly shared by domestic public servants.

Practical experience suggests that more detailed guidance may be helpful especially for employees serving abroad. This paper provides such guidance by drawing attention to types of activities that can create problems and, equally important, by detailing the role of management in dealing with behavioural problems. It thus serves to familiarize employees not only with possible problems but also with methods which may be used to deal with these problems. The guidelines embody two important principles underlying the Department's approach to personnel management. The first is that rotational employees must be personally suitable for specific positions and missions; the second is that problems of behaviour abroad are to be handled in the first instance by the supervisor with primary responsibility for the employee in question.

It is not intended to set guidelines for acceptable conduct in all imaginable circumstances. Customs and proprieties can vary enormously so that behaviour that is perfectly normal in some countries may be quite offensive in others. Similarly laws vary greatly - activities that are illegal in some countries are acceptable in others. It is also impossible to provide guidance for each group and level. Officers with representational functions have to conduct themselves according to what is locally expected from persons in their position. The role of a head of mission may render unacceptable certain types of conduct which could be tolerated in junior officers. Thus the seriousness of any problem of behaviour may often be determined by factors that differ from mission to mission.

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While employees are required to use their judgment and initiative to cope with conditions abroad, and to seek authoritative advice if necessary, it may be helpful to focus on some aspects of personal conduct that by experience are known to be particularly likely to create problems. The following list is indicative and not exhaustive:

- abuse of alcohol or drugs
- addiction to alcohol or drugs
- gambling, black market operations, excessive indebtedness
- abuse of privilege or status
- violation of local laws (e.g. traffic laws, currency regulations, sexual prohibitions), customs and proprieties (e.g. some expressions of sexual activity)

- fraud
- some psychological disturbances
- general unacceptable behaviour in public such as rudeness, intolerance or pomposity.

### Management Responsibilities

A fundamental role of management is to deal with any behavioural problems that limit an employee's effectiveness. Action to this end may have three objectives: prevention, correction, and protection of Canadian interests.

Six measures - information, counselling, medical treatment, security <sup>re-</sup>classification, recall/reassignment and discipline - which are briefly elucidated below are available for addressing problems of behaviour. Depending on the circumstances they may be used singly or in combination. One of the most important of these is discipline because many of the problems constitute misconduct and may require the application of various levels of discipline up to and including discharge.

### I Information

As part of their preparations for a posting employees are expected to familiarize themselves with the beliefs, customs, laws and standards of public behaviour which prevail in the country or countries to which they are assigned or where they may travel and on arrival they are required to conform

to local expectations of conduct. For the familiarization process the Posting Services Centre provides post reports, publications and video cassettes and the Library has books, periodicals and documents. The security briefing draws attention to potential personal security threats such as those posed by hostile security and intelligence services and blackmail. Mission management is also responsible for acquainting staff both on arrival and later, as required, with problems and dangers.

## II Counselling

When employee behaviour interferes with the achievement of mission objectives, the responsible supervisor should attempt to remedy the problem through advice and counselling. In the first instance he might explain to the employee the seriousness of the problem and the consequences of failing to resolve it and explore solutions with him. Depending on the problem, the employee may be reminded of the existence of the Departmental Welfare Counsellor (ABMW). If the problem involves misconduct, the mildest form of discipline, an oral reprimand, may be required. The employee should be made aware that in the absence of improvement more severe disciplinary measures could follow. The supervisor should make notes on the interview and its results as evidence in support of more energetic action if it is required. When a supervisor is aware of difficulties or problems he should deal with them promptly, compassionately and firmly.

## III Medical Treatment

Some problems such as alcoholism may be susceptible to

medical treatment or a transfer may be the answer. The Employee Assistance Program may be invoked to provide appropriate medical facilities.

#### IV Security

The Section of the Code of Conduct dealing with security stipulates inter alia that "personnel both at home and especially abroad must be alert to the very real possibility that hostile intelligence services may attempt to exploit...personal behaviour that offends against local laws or customs and/or broadly accepted standards of conduct." When actions or behaviour lead to an actual or a potential threat to security the mission and/or the departmental security officer must be informed (Code of Conduct pp. 16-17). In consultation with the head of mission the Department may offer advice, conduct its own investigation or request the assistance of another Canadian government investigative agency. In any case the employee concerned would be given the opportunity to provide information to help clarify the situation. If security doubts cannot be resolved the case will be presented to the Under-Secretary, normally with options for action and recommendations.

#### V Recall/Reassignment

Recall/reassignment to Ottawa may occur immediately following certain acts of misconduct or when threats to security dictate such action. It also may follow the failure of counselling and discipline if unacceptable behaviour cannot be corrected and, in some cases, may accompany disciplinary action.

Pursuant to section 7(1) of the Financial Administration Act, the employer is vested with the authority to assign human resources. In this context, the employer has complete authority to recall or reassign employees based on management requirements. However, in disciplinary situations, extreme caution and discretion should be exercised when recall or reassignment is being contemplated. In such situations, the responsible manager must provide the appropriate personnel assignment division with all relevant details relating to the proposed recall or reassignment action. In turn, the appropriate personnel assignment division must seek prior consultation and advice from Staff Relations (ABK) before initiating any action.

Without limiting the authority of the employer, it is expected that recall or reassignment for disciplinary reasons would be reserved for serious and/or exceptional circumstances. In normal disciplinary situations, it is the responsibility of all managers to utilize the progressive disciplinary measures available to them prior to proposing a recall or reassignment action.

## VI Discipline

The most important response to a behavioural problem resulting in misconduct is discipline. The departmental booklet, Discipline, outlines in detail departmental procedures for discipline. There are four formal levels beyond oral reprimand: written reprimand, suspension, fine, and discharge. Examples of conduct subject to disciplinary action in the booklet are

indicative and not all-inclusive, but it might be noted that misconduct calling for up to level four discipline includes "any act that would bring the Canadian government into disrepute". This means that whenever any behaviour brings discredit to the mission or the government, appropriate disciplinary action could be taken. As outlined above, discipline could accompany any of the other methods of coping with misbehaviour. Employees who have been subject to disciplinary action may seek redress through the procedures set out in the departmental booklet, The Grievance Procedure. On a less formal level they may approach the head of mission or the appropriate personnel division at headquarters.

#### Rotationality

Some behavioural problems can limit the rotationality of the employee or raise issues of equity in treatment of other employees. Rotational employees are expected to accept a fair share of hardship and undesirable assignments but some types of behaviour may limit postability, particularly to hardship missions. Such limitations could be unfair to employees who are fully rotational and who as a consequence could be faced with a greater proportion of hardship assignments. This situation requires that at some point the employees who are not fully rotational may have to seek non-rotational positions within or outside the Department. As stated in the policy on rotationality (Section 6.5 of Chapter 6 of the Manual of Procedures) the Department will provide time and assistance to such employees.

## Administration

Several of the above-mentioned measures to deal with behavioural problems may be employed simultaneously e.g. counselling and medical treatment. If the problems involve misconduct, the departmental response would be discipline. It is, of course, always hoped that other measures such as counselling, medical treatment, reassignment or security reclassification will improve matters but it is absolutely essential that managers be completely aware that discipline may be unavoidable. If timely and appropriate discipline is not applied the supervisor or the Department may find it more difficult to solve the problem in a more advanced stage as it may be arguable that it has condoned the action or conduct. Thus in many instances the proper approach is a combination of measures, including discipline, in order to leave the employee in no doubt as to the seriousness of the situation and to give management the option for further measures.

Staff Relations should be informed at an early stage of behavioural problems, attempts to solve them and results achieved. In cases of suspension, bargaining agents, depending on the contract for the group of employees of which the suspended individual is a member, may have to be informed. Because problems may affect careers, mission operations and assignments, the relevant personnel operations division should also be informed. Specific problems may also involve other parts of the

Department such as Security (ZSS), the Employee Assistance Program or the Welfare Counsellor (ABMW). Any of these units may be able to provide advice to managers. If performance is affected by behaviour this of course should be reflected in the employee's appraisal as should behaviour which raises questions about the employee's overall suitability for assignment overseas.

### Conclusion

When abroad employees of the Department must exhibit the highest standards of professionalism and personal conduct to protect Canadian interests and to avoid offending local customs, creating security risks or otherwise harming the mission in its work. The Department attempts to deal with behavioural problems through information, counselling, medical treatment, security reclassification, recall or, when appropriate, reassignment and discipline. Problems are dealt with confidentially and compassionately with a view to resolving them taking into account the employee's situation and departmental policies and requirements.