

## INTRODUCTION

The City of Edmonton (“the City”) believes that a strong commitment to transparency and accountability and a strategic approach to procurement are essential for delivering goods and services. Implementation of social responsibility, environmental requirements, and business ethical standards enhances the City’s ability to manage its sourcing process in a sustainable way.

The City actively engages its suppliers through the City’s requirement that suppliers and their subcontractors adhere to this Supplier Code of Conduct. This Supplier Code of Conduct supports the City’s *Sustainable Purchasing Policy* and outlines the minimum performance standard expected from suppliers and their subcontractors who participate in any City sourcing process.

The goals of the Supplier Code of Conduct are to:

- ensure safe and healthy workplaces for the people who make and supply goods, and provide construction, intellectual property rights, and other services for the City, where conditions meet internationally agreed upon standards as embodied in the many conventions of the [International Labour Organization \(“ILO”\)](#); and
- ensure that the City maintains its integrity as a public institution by contracting only with suppliers that support ethical business practices.

The standards set out in the City’s Supplier Code of Conduct are based on a set of fundamental ILO labour conventions that directly support the United Nations’ Universal Declaration of Human Rights. These fundamental conventions set out minimum standards for working conditions.

Adherence to the City’s Supplier Code of Conduct will facilitate supplier compliance with the fundamental labour conventions of the ILO, relevant laws, and other applicable environmental and ethical standards; however, suppliers and their subcontractors are responsible to ensure that they comply with relevant laws and standards.

### Application

The City places substantial value upon suppliers who support and respect the behaviours outlined in this Supplier Code of Conduct and it is a requirement for all City suppliers and their subcontractors to adhere to this Supplier Code of Conduct. This Supplier Code of Conduct is not to be read in lieu of, but in addition to, the supplier’s obligations as set out in any contracts between the City and the supplier. In the event of a conflict between the Supplier Code of Conduct and an applicable contract, the contract will govern.

For the purposes of this Code, “supplier” means the provider of goods, services, construction, or intellectual property rights by purchase, rental, lease, conditional sale, or any other means. “Laws” includes all statutes, laws, bylaws, regulations, codes, ordinances, orders and requirements of governmental or other public authorities having jurisdiction, and all amendments and successors thereto.

## 1. Compliance Requirements

The provisions of this Supplier Code of Conduct set forth the City's expectations for all suppliers and their subcontractors with whom the City does business.

Suppliers shall comply with all provisions of the Supplier Code of Conduct and with relevant laws and regulations in the jurisdiction(s) where the Supplier operates with respect to manufacturing of goods, development and protection of intellectual property rights, delivery of services and construction, and ethical business practices. This includes, but is not limited to those laws relating to working conditions, human rights, health and safety, and the environment. Where applicable laws and this Supplier Code of Conduct address the same issue, the standard that is most stringent will apply.

The purpose of compliance with this Supplier Code of Conduct is to ensure that all suppliers and their subcontractors, regardless of their place of operation, adhere to a consistent set of minimum performance standards related to social responsibility, environmental standards, ethics, human rights and fair workplace practices.

## 2. Performance Standards

The following performance standards represent the minimum standards for suppliers and their subcontractors. These standards are organized into four categories:

- A. Social Responsibility – pertaining to working conditions in both supplier and subcontractor facilities;
- B. Environmental Standards – pertaining to environmental impacts related to operational practices of both suppliers and subcontractors;
- C. Business Ethical Standards – pertaining to ethical business practices by the supplier and its directors, officers and employees; and
- D. Management Standards – pertaining to management of company wide operations by suppliers.

The City aspires to work with suppliers that provide consistent and continuous focus on protecting the health, safety and welfare of workers, minimize their operational impact on the environment, and have adopted and encourage ethical business practices. There is an expectation of continual improvement with respect to social responsibility, environmental standards, ethics and fair workplace practices by suppliers and subcontractors, including their directors, officers, and employees.

### A. **Social Responsibility**

#### **Forced Labour**

The supplier and its subcontractors must not use, in any part of their supply chains, forced labour. "Forced labour" means labour or service provided or offered to be provided by a person under circumstances that:

- could reasonably be expected to cause the person to believe their safety or the safety of a person known to them would be threatened if they failed to provide or offer to provide the labour or service; or
- constitute forced or compulsory labour as defined in article 2 of the Forced Labour Convention, 1930, adopted in Geneva on June 28, 1930.

All work must be voluntary, and workers must be free to leave upon reasonable notice.

### **Child Labour**

The supplier and its subcontractors must not use, in any part of their supply chains, child labour. "Child labour" means labour or services provided or offered to be provided by persons under the age of 18 years and that:

- are provided or offered to be provided in Canada under circumstances that are contrary to the laws applicable in Canada;
- are provided or offered to be provided under circumstances that are mentally, physically, socially or morally dangerous to them;
- interfere with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely or requiring them to attempt to combine school attendance with excessively long and heavy work; or
- constitute the worst forms of child labour as defined in article 3 of the Worst Forms of Child Labour Convention, 1999, adopted at Geneva on June 17, 1999.

### **Equality and Non-discrimination**

The supplier and its subcontractors must promote cooperation, accountability, and acceptance of diversity among its employees. Neither the supplier nor its directors, officers, or employees engage in discrimination based on race, religious beliefs, colour, gender, gender identity, gender expression, physical or mental disability, ancestry, marital status, family status, source of income, age, place of origin, and sexual orientation in hiring and employment practices such as promotions, rewards, and access to training. In addition, workers or potential workers should not be subjected to medical tests that could be unlawfully used in a discriminatory way.

### **Employee Treatment, Harassment and Abuse**

The supplier and its subcontractors must ensure its employees are treated with respect and dignity and that disciplinary policies and procedures are clearly defined and communicated to employees before application. The supplier and its subcontractors must ensure that its employees are not subject to inappropriate treatment, including any personal or sexual harassment, nor to the threat of any such treatment.

### **Health and Safety**

The supplier and its subcontractors must comply with all laws relating to occupational health and safety in all applicable jurisdictions. Without limiting the foregoing, the supplier and its subcontractors must also ensure that all workers are provided with a healthy and safe work environment. The supplier and its subcontractors must ensure that conditions in all work and employer-provided

residential facilities are safe, clean, and consistent with all applicable laws and regulations regarding occupational health and safety. The supplier and its subcontractors must adequately inform employees of the supplier's health and safety guidelines in terms of equipment, training, management, and work practices.

### **Freedom of Association and Collective Bargaining**

The supplier and its subcontractors must work directly with employees to find solutions to any outstanding legal and employment issues while at all times respecting worker rights to obtain representation, join labour unions, and bargain collectively. Workers must be able to communicate openly with management regarding working conditions without fear of reprisal, intimidation or harassment.

### **Wages and Benefits**

The supplier and its subcontractors must comply, as a minimum, with all applicable local laws and regulations, including but not limited to those relating to minimum wage and compensation.

The supplier and its subcontractors must:

- Meet legislated minimum wage rates and comply with all employment standards and related laws in the jurisdiction(s) of production with respect to compensation, including wages and benefits for goods and services produced in Canada;
- Meet national or international standards, whichever is higher, for wages and benefits within the country of production, irrespective of special status granted to a company, worksite, or geographic area that permits the organization to compromise applicable standards for goods and services produced outside of Canada; and
- Compensate employees for overtime hours at such premium rate as is legally required in the jurisdiction(s) of production. In those countries where such laws do not exist, compensation must be made at a rate at least equal to the employees' regular hourly compensation rate.
- **Living Wage Requirement**  
In addition to the above Wage and Benefit requirements, for any service contracts performing operational duties on City worksites and work spaces, the supplier will pay its employees who are working on City contracts at minimum the living wage. For the purposes of this paragraph, the "living wage" standard is set in accordance with Edmonton City Council [Policy C612A](#) (also published annually by the Edmonton Social Planning Council (ESPC))

### **Hours of Work**

For goods and services produced in Canada, suppliers and its subcontractors will comply with all employment standards and related laws in the jurisdiction(s) of production and provision of services with respect to hours of work, overtime hours.

For goods and services produced outside of Canada, suppliers and its subcontractors will ensure that regular working hours do not exceed forty eight (48) hours per week;

that the combination of regular hours and required overtime hours do not exceed sixty (60) hours per week except in emergency circumstances; that hours worked in excess of sixty (60) hours per week are on a voluntary basis; and, that workers are provided at least one day off during every seven (7) day period.

## **B. Environmental Requirements**

The City of Edmonton has a significant influence on the local and surrounding environment. Ensuring that environmental considerations are part of all City activities, including procurement, is essential. Suppliers to the City must strive to reduce or eliminate the negative environmental impacts of the goods and services they provide to the City.

The environmental performance of suppliers and its subcontractors is critical to the success of the City's own goals of preserving and sustaining the environment. As such the minimum environmental standards for suppliers and its subcontractors include:

- Compliance with the environmental laws, approvals or permits that relate to a supplier's product or service in all jurisdictions in which the supplier operates; and
- Identification, minimization and management of the environmental impacts of a supplier's activities and goods. Typical environmental impacts include, but are not limited to, solid waste, wastewater discharges, air emissions, hazardous (toxic) substances and restricted substances, and resource use.

## **C. Business Ethics Standards**

This section applies to suppliers and its subcontractors. The City of Edmonton, as a public body, must maintain the public's trust and confidence and thus it is imperative that the City contract only with suppliers that conduct business ethically and with integrity.

City employees, officers, and elected officials are also held to high standards of conduct and professionalism. As such, suppliers must not pressure or attempt to induce City employees, officers, or elected officials to breach those standards of conduct and professionalism.

Suppliers and its subcontractors must comply with high ethical standards in doing business, including but not limited to the following:

- Refrain from exerting pressure of any kind on or offering money or gifts to employees, officials or directors of any entity sourcing goods, services, intellectual property rights, or construction, whether through a competitive or non-competitive sourcing process, in order to gain an advantage of any kind over other participants or potential participants in the sourcing process;
- Comply with all applicable domestic and international laws;

- Abide by any standards, rules, and codes of conduct set out by any bodies which govern the supplier;
- Without limiting the foregoing, refrain from engaging in any reviewable conduct or offences under the Competition Act, RSC 1985, c. C-34;
- Refrain from knowingly providing inaccurate or misleading information in response to any kind of invitation to submit a bid or proposal;
- Refrain from intimidating or attempting to intimidate any other participants or potential participants in any competitive or non-competitive sourcing process;
- Refrain from engaging in questionable or unethical financial practices;
- Refrain from engaging in any deceptive marketing practices;
- Refrain from engaging or attempting to engage in any other corrupt or otherwise unethical business practices; and
- In addition, suppliers and its subcontractors must not permit their employees to work if they are impaired or intoxicated whether from legal or illegal substances or otherwise not fit for work/duty.

#### **D. Management System Requirements**

If the supplier or its subcontractors has adversely impacted the environment, failed to meet an environmental performance standard, or has breached the social or ethical standards outlined in the Supplier Code of Conduct or any other contractual requirement of the City, it is the responsibility of the supplier to satisfactorily implement corrective actions, and if necessary, make any changes to the processes and procedures that govern the activities of the supplier to help ensure the breach does not occur in the future. The supplier and its subcontractors should have a system in place to:

- a) Allow for continual improvement of its social, environmental and ethical performance;
- b) Respond to social, environmental and ethical issues and infractions and report them to the satisfaction of the authority having jurisdiction; and
- c) Identify non-conformances and address them via verifiable corrective action plan(s).

#### **Compliance and Implementation Framework**

The City expects all of its suppliers and their subcontractors to comply with the Supplier Code of Conduct and to actively do their best to exceed minimum standards as expressed by the Supplier Code of Conduct. The City believes in cooperation and is willing to work with its suppliers to improve performance where necessary. Failure to correct situations of non-compliance with this Supplier Code of Conduct may lead to contract termination by the City.

All City suppliers and their subcontractors must inform their employees about this Supplier Code of Conduct and provide appropriate avenues of complaint and

corrective action plans to address violations. Suppliers and their subcontractors must adequately communicate this Supplier Code of Conduct and its contents to all of their employees and must post it in both English and the working language of the employees in an area which is accessible to all of their employees.

The City may require that suppliers and their subcontractors provide it with details on factory and production facility locations and such details are subject to public disclosure by the City in accordance with the Freedom of Information and Protection of Privacy Act, RSA 2000 c. F-25.

The City of Edmonton reserves the right to ask for proof of compliance with all applicable labour, health, safety, environmental and other laws and business ethics requirements, and may inspect work locations at any time (or request independent verification of compliance). Suppliers and their subcontractors must maintain current and sufficiently detailed records to substantiate their compliance with the Supplier Code of Conduct and the City may ask that they are independently verified. The independent verification will be at the City's expense if compliance is verified, and at the Supplier's expense if compliance is not verified.