

MBA Code of Conduct for Respectful Working Relationships

Purpose:

The purpose of the Manitoba Bar Association Code of Conduct for Respectful Working Relationships is to provide a code of conduct that will govern the workplace and working relationships among Manitoba Bar Association volunteers and staff and to create an informal mechanism for resolving violations of this Code of Conduct. The objective of the code is to ensure that volunteers and staff are welcomed and treated as valuable and integral members of the MBA's governance, management, and operations and to promote a respectful workplace and working relationships. It is further intended that the principles of fairness, honesty and integrity to which the ("MBA") ascribes will be translated into respectful working relationships among volunteers and staff. This Code of Conduct (the "Code") applies specifically to volunteer activities and supplements the Law Society of Manitoba's Code of Professional Conduct for lawyers.

Scope:

This code applies to all volunteers acting in any capacity on behalf of the MBA and all members of staff, both regular and part-time. This Code also applies to anyone who is providing services to the MBA under contract and is interacting with staff or volunteers, or with any third parties on behalf of the MBA.

General Principles of Conduct:

- to act with integrity, honesty, transparency, and in good faith in the best interests of the MBA;
- to comply with the Manitoba Human Rights Code;
- to seek consensus through open discussion and debate, with appropriate consideration and respect for legitimate dissent;
- to participate in MBA activities constructively, in co-operation with other volunteers and MBA staff;
- to respect the fundamental premise that all volunteers give generously of their time and talents;
- to refrain from making inappropriate, undue, and unwarranted demands on the resources of the MBA, including the time of other volunteers and staff, financial and information technology resources;
- to promote, where possible, new talent, gender balance and diversity, in support of the achievement of the mission statement and strategic plan of the MBA; and
- to treat staff and other volunteers, members, and guests with courtesy, respect, and dignity.
- to support and adhere to the Vision, Mission and Strategic Plan of the MBA.

When a Member is not acting in Compliance with the MBA Code of Conduct:

If the principles governing respectful workplace and working relationships are violated by a member, the problem may be resolved informally as set out in Appendix A.

Display of this Code

Copies of the Code will be available to members on the MBA website.

APPENDIX A

PROCESS RE: NONCOMPLIANCE WITH THE MBA CODE OF CONDUCT

Volunteers and staff can confidentially bring to the attention of the Executive Director or Vice-President concerns about misconduct on the part of any MBA volunteers. The Executive Director or the Vice-President shall conduct such investigation as he or she believes is appropriate in the circumstances, but, in all cases, must be informed by the person being complained about as well as the complainant(s). The Vice-President or Executive Director, as the case may be, shall attempt to resolve any complaint quickly and informally in a manner consistent with the principles underlying the Code. If the complainant has requested that his or her identity not be revealed, that request shall be honoured, although that request may hinder effective investigation. Any investigation will respect the following principles:

1. confidentiality;
2. the underlying principles and goals of the Code, including the maintenance of a safe and respectful workplace;
3. privacy entitlements of any of the parties;
4. the value of an apology;
5. recognition of the serious implications for reputation due to unsubstantiated complaints; and
6. proportionality with respect to the
 - a) alleged misconduct;
 - b) harm done in the workplace;
 - c) harm done to work of the MBA;
 - d) harm done to the individuals involved; and
 - e) the risk of future adverse outcomes if the misconduct is not discouraged or stopped.

If the dispute cannot be resolved quickly and informally, the complainant may request that the matter be brought before a meeting of the MBA Executive Committee (the "Executive") at its next scheduled meeting, or at an *ad hoc* meeting if urgency requires. The Vice-President or Executive Director, as the case may be, must prepare the reference in writing, describing the incident/violation of the Code and the results of the informal investigation, including the parties' positions. The Executive may determine any appropriate steps that should be part of the procedure at its meeting and that should be taken to protect the confidentiality of the investigation. The parties are entitled to attend and participate in the Executive meeting at which the matter is to be discussed. The names of the parties directly involved shall not be recorded in any Executive minutes unless the parties request their names to be recorded.

The Executive may take any further action it deems necessary with respect to the complaint.