



# CODE OF ETHICS VIA RAIL CANADA

Our behaviours and decisions on the right track



[Full Version](#)

## Table of Contents

Purpose of the Code of Ethics .....	3
To Whom Does the Code Apply?.....	3
Our Ethical Commitment.....	4
Our Mission, Our Vision, and Our Values .....	4
Our Statement of Values.....	5
Our Responsibilities .....	8
Guide to Ethical Discussions.....	9
How the Code of Ethics is applied.....	10
Individual Commitment.....	12
Approval.....	12
Appendix A: Glossary.....	13
Appendix B: Resources.....	14
Appendix C Part I: Process of Reporting an Ethical Breach.....	15
Appendix C Part II: Ethical Alleged Wrongdoing Reporting Form .....	16
Appendix D: Conflict of Interest Form .....	17
Appendix E: VIA Rail Canada Code of Ethics Engagement Form .....	18

## Purpose of the Code of Ethics

The VIA Rail Code of Ethics is a reflection of who we are and what governs us. It embodies the organization's values and demonstrates our commitment to adopting the best possible ethical practices for achieving our mission in the best interest of the organization.

## Objectives

The VIA Rail Code of Ethics was developed in order to:

- Promote the organization's values and best ethical practices;
- Educate ourselves about the ethical challenges we may face in our work;
- Encourage communication and dialogue for greater awareness of ethical issues;
- Strengthen everyone's accountability with regard to appropriate behaviour in various contexts;
- Equip ourselves so that we can recognize troubling situations and the various means available to us to get help if we have questions or need to report a situation;
- Protect the good reputation and credibility of VIA Rail, along with our own as employees;
- Preserve the trusted relationship that VIA Rail has with its customers and all of its stakeholders.

## To Whom Does the Code Apply?

The Code of Ethics applies to all VIA Rail employees, including full-time, part-time, and contract employees as well as former employees of VIA Rail. Former employees will continue to respect the integrity of VIA Rail by refraining from using any confidential or strategic information to our advantage or to the detriment of VIA Rail or a third party.

Subcontractors, entrepreneurs, suppliers and any third party bound by a contract with VIA Rail must comply with the organization's values and ethical standards, as indicated in their contract.

## **Our Ethical Commitment**

The commitment of all VIA Rail employees is crucial, and therefore, drives our objectives in terms of our ethical behaviour and practices.

**Individually**, this commitment can be seen in our behaviour in the workplace.

**Collectively**, the commitment is demonstrated in our willingness to help achieve a common objective as a responsible organization.

## **Our corporate and social responsibility**

Our approach involves being proactive and taking great care in performing VIA Rail's mission, while being aware of the social, economic, and environmental impacts that our activities have on society.

## **Our ethical responsibility**

It is important that our decisions, choices, and behaviour are impeccable. We are all responsible for enriching and encouraging VIA Rail's ethical culture by embodying our commitment and by:

- Seeking help if we have questions or concerns about actions to take or about an ethically questionable situation;
- Reporting actual or potential breaches of the Code of Ethics, the organization's values, and its resulting policies, without fear of reprisal;
- Refusing to act unethically, even if someone tells us to.

Any action whose goal is to obstruct compliance with the Code of Ethics will officially be considered retaliation under the PSDPA<sup>1</sup>, and may result in the application of corrective and disciplinary measures against the person who, in bad faith, obstructed its application.

## **Our Mission, Our Vision, and Our Values**

### **Our vision**

To make passenger rail transport the preferred means for travelling and staying connected in Canada.

### **Our brand**

"The Human Way"

### **Our mission**

To provide a safe, attractive, and easy travel experience while offering the best value for money for our customers.

### **Our mandate**

To offer a national passenger rail transportation service that is safe, secure, efficient, reliable and environmentally friendly, and that meets the needs of travellers in Canada.

### **Our commitment**

We work in a safe manner, focusing on the customer while continually trying to improve both as individuals and as a company.

### **Our values**

Our behaviours reflect our values. They represent the foundation of what is important to us, what we believe, and what motivates and underlies our decisions and actions. They are integrity, diligence and know-how.

---

<sup>1</sup> The *Public Servants Disclosure Protection Act* (PSDPA) aims to maintain and enhance confidence in integrity by establishing a safe and confidential process for disclosing wrongdoings.(see appendix B)

## Our Statement of Values

VIA Rail's values guide our thinking, behaviour and decisions. These values guide important decisions and actions that shape the organization's image and affect its reputation and that of its employees on a day-to-day basis. They are the springboard from which VIA Rail wants to grow with its employees in order to sustain its mission and achieve its objective of making passenger rail transport the preferred means for travelling and staying connected in Canada.

### Integrity: The human way to behave

Integrity is central to our ethical culture. We behave honestly, objectively, and openly when we perform our duties in good faith and in the best interest of VIA Rail. Our attitude and our behaviour help maintain our organization's good reputation and credibility, and preserve the trusted relationship that VIA Rail has with its customers and all of its **stakeholders**.

#### Demonstrating integrity also means:

- 为人做到:
  - Doing everything possible to prevent and manage any real, apparent or potential conflict of interest;
  - Maintaining open and objective relationships with our business partners and our customers;
  - Being responsible for our decisions and our actions;
  - Accomplishing our tasks and obligations as required by the laws, rules, and regulations we must follow as a rail transport company.

### Diligence: The human way to accomplish our mission

Our actions and choices must satisfy the most stringent requirements. With timeliness and rigour, we fulfil our duties and meet the needs of our customers and all of our **stakeholders** with whom we maintain respectful and equitable relationships.

#### Being diligent also means:

- 为人做到:
  - Always ensuring the safety of our customers, our employees and members of the community;
  - Performing our tasks with professionalism and putting quality into our work;
  - Managing the company's operational risks proactively;
  - Meeting shareholder expectations and ensuring that public funds are being used responsibly.

### Know-how: The human way to work

Thanks to our employees who are always striving to excel, VIA Rail is innovating and evolving to meet the needs of our customers. We recognize our strengths and our ability to complete the projects and initiatives we undertake.

#### Demonstrating know-how means:

- 为人做到:
  - Contributing our knowledge, skills, abilities and experience to achieve the expected results, while respecting and soliciting help from others;
  - Investing in the selection, development, engagement and contribution of our people;
  - Aiming for excellence in everything we do, while continuously striving to improve, both individually and as a team;
  - Encouraging initiative and innovation.

## Exemplary Behaviour

Below are some examples of exemplary behaviour, based on the organization's values. For more detailed information, please consult the respective policies.

### Integrity: The Human Way to Behave

Conflict of Interest	Benefits, Gifts, and Solicitation	Family and Personal Relationships
In our work, each and every one of us must be sure to act in the best interests of the organization at all times when performing our tasks and obligations with integrity and objectivity, without allowing our personal interests or those of others to come into conflict with the interests of VIA Rail. We do what is necessary to maintain our independence of mind and our freedom of judgement while avoiding any situation likely to create a real, apparent or potential conflict of interest that may damage our reputation and that of VIA Rail.	In our business relationships with existing or potential internal and external partners, we avoid putting ourselves in situations in which we may become indebted to them. Therefore, we must refuse to accept gifts or benefits that may affect our objectivity. Only unsolicited and infrequent low-value gifts may be accepted from a business partner.	We are honest in avoiding inappropriate hierarchical relationships that compromise or give the impression of compromising our objectivity. We will not directly supervise people with whom we have a family relationship, including but not limited to members of our immediate and extended family.
External Business Activities	Confidentiality	Post-Employment
We act with integrity by not taking part in activities that conflict or appear to conflict with our job, undermine the interests of VIA Rail, or negatively affect our work performance. We do not participate in external activities that may affect our impartiality as employees of a Crown corporation or our ability to do our work as VIA Rail employees.	We demonstrate integrity by protecting the confidentiality of personal information entrusted to us as part of our job. To maintain the trust of our customers, our colleagues, and all VIA Rail stakeholders with whom we do business, we are careful to collect and use such personal and confidential information only for legitimate purposes related to our work.	Our professional obligation, our loyalty and our integrity continue even after we have left employment with VIA Rail. We continue to respect the integrity of VIA Rail by refraining from using any confidential or strategic information to our advantage or to the detriment of VIA Rail or a third party. We do not profit from having been an employee of VIA Rail in order to gain a privilege to which we would not normally have been entitled.
Compliance with Laws, Regulations and Policies	Political Activities and Participation in Public Life	Fraud and Protection of Company Assets
We show integrity by fully demonstrating that our actions and our decisions comply with the laws and regulations applicable to VIA Rail. The same reasoning applies when we comply with policies, conventions, and directives, and when we apply the Financial Policy in effect.	When we are interested in politics or public life, we can freely express ourselves about matters of public interest, as long as we make it clear that we are doing so personally. Such lawful activities must remain an individual responsibility and commitment, and in no way associated with our organization. We make sure to avoid conflicts of allegiance and to preserve our loyalty to VIA Rail.	We respect VIA Rail's rights with regard to its financial, material and intellectual assets. We protect VIA Rail's assets from theft, misuse, loss, fraud, damage or potential sabotage. The same reasoning applies when we request authorized reimbursements for reasonable fees and expenses we have truly incurred.

## Diligence: The Human Way to Accomplish Our Mission

Attendance	Security	Health and Safety
We demonstrate diligence when we continuously apply ourselves in our work and meet expectations. We are present in our jobs and respect our work schedules.	We use a preventative approach for any security intervention. We ensure that the right security measures are applied, according to procedures. Whether related to safety, conflict management or when following procedure involving a visitor's identity, we demonstrate diligence when we put our established procedures into practice.	We always recognize the importance of safety checks. We protect the safety of everyone, including our customers, colleagues, the public and our own.
Workplace Violence Prevention	Social Media	Alcohol, Drugs and Other Substances
We do what is needed to prevent all violence in our workplaces, and we respond quickly when we witness an act of violence, including physical violence, verbal abuse or any other form of violence between employees or involving our customers.	We demonstrate diligence when using a social networking account, whether for official or personal use, when we ensure that our interactions are always respectful and loyal and that they do not damage the reputation of VIA Rail or that of its stakeholders. We, therefore, ensure that the content we display about the organization, the Government of Canada, the rail or tourism industry, our customers, our colleagues, consultants, suppliers or business partners is respectful.	We are alert and ready at all times to perform our tasks. In addition, we must behave responsibly during business meetings and social or recreational activities, as part of our job. In this sense, it is important that we are not overcome by the consumption of alcohol, medication or illegal drugs.

## Know-how: The Human Way to Work

Equal Employment and Diversity	Personal Respect	Corporate and Social Responsibility
When we participate in selecting a candidate, we respect each and every individual for who s/he is, without distinction, exclusion or preference. We demonstrate our know-how by promoting skill and by treating everyone fairly and respectfully.	In our work, we respect human dignity, and we recognize the value of each and every person with whom we interact by respecting them, without distinction, exclusion or preference based on race, skin colour, gender, pregnancy, sexual orientation, marital status, age, religion, political convictions, language, ethnic or national origin, social condition, disability or use of any means to assist with that disability.	We are responsible for our actions in the community. We demonstrate know-how through simple gestures aimed at reducing our environmental footprint, while doing our part for the community. In doing this, we contribute to the sustainable development of our company.
Official Languages		
We demonstrate know-how when we adopt reasonable measures to create and promote a workplace that is conducive to using both official languages. The same reasoning applies when we conduct a meeting and invite participants to express themselves in the official language of their choice. Through this, we ensure that French-speaking and English-speaking employees benefit from equal access to employment, learning opportunities and promotions, provided that they meet the professional requirements.		

## Our Responsibilities

### Our responsibilities as employees

- ➊ We share the responsibility of encouraging business practices and behaviours that respect VIA Rail's values, including integrity, diligence and Know-how.
- ➋ We make sure to prevent or resolve ethically problematic situations.
- ➌ We demonstrate openness to dialogue and collaboration during situations requiring our participation to resolve a non-ethical situation.
- ➍ We report all possible violations, breaches, or wrongdoings with regard to the Code of Ethics and related policies when they come to our attention.

### Our responsibilities as managers

#### As managers, we have additional ethical responsibilities.

- ➊ As ethical leaders, we adopt appropriate and exemplary behaviour, based on VIA Rail's values, and we educate, encourage and inspire our employees and colleagues to follow suit.
- ➋ We cultivate a sense of responsibility by making ourselves accountable for our actions, and we expect the same level of accountability from our employees, our colleagues and our organization.
- ➌ We make sure to fully communicate our values and exemplary behaviour to our employees and our colleagues, while facilitating dialogue and discussions to encourage accountability across the board.
- ➍ We make sure to prevent and promptly address ethically problematic situations.
- ➎ We promote, create, and maintain honest business practices.

## Guide to Ethical Discussions

We may be confronted with ethical questions, including situations in which making a decision is not just a formality, but instead requires discussion and, sometimes, support.

When you are uncertain or hesitant about making a decision or taking action, please use this procedure to guide your discussions and choices.

### Step 1: Define the problematic situation

- 为人：
  - What is making me uncomfortable?
  - Who are the parties involved?
  - If I take such an action or make such a decision, what would be the impact on me and on the parties involved?

### Step 2: Determine whether VIA Rail's Code of Ethics or its policies can guide me in the right direction

- 为人：
  - Does VIA Rail's Code of Ethics address this problematic situation? If yes, what is the expected behaviour under the circumstances?
  - Is there a VIA Rail policy that indicates what behaviour to adopt under the circumstances? If yes, what is it?

### Step 3: Determine the values involved

- 为人：
  - Which VIA Rail value is involved? How would the decision I am about to make or the action I am about to take affect this value?
  - Given the expected behaviour and values of VIA Rail, what would be the best decision to make or the best action to take under the circumstances?

### Step 4: Validate my decision

- 为人：
  - Would I like if someone did this to me?
  - Does my decision place the interests of VIA Rail before my personal interests?
  - Would I be capable of justifying my decision to colleagues, to my immediate supervisor and to Canadian citizens?

### Step 5: Ask for help

- 为人：
  - Should I seek advice before acting? (If yes, see the next section " How the Code of Ethics is applied ".)

## Prevention mechanisms

Since it is everyone's responsibility to adopt exemplary behaviour, VIA Rail promotes a constructive approach that hinges on communication and encourages dialogue. When an employee is personally involved in a situation or witnesses a situation that constitutes or could constitute a violation of the law or the Code of Ethics, VIA Rail strongly encourages reporting the situation and getting help.

## Preventive support

If we are unsure about a given situation or have the potential to act against the Code of Ethics, in our interest and that of VIA Rail, we can first consult our immediate supervisor to get coaching on taking the right course of actions and even the Ombudsman/Compliance Officer to obtain sound advices before making a decision or taking an action.

## How the Code of Ethics is applied

### Laws and policies

All VIA Rail employees must comply with the law and the organization's policies. Similarly, VIA Rail employees who are bound by a professional code of ethics must comply with it. The VIA Rail Code of Ethics should serve as a discussion guide when the time comes to use our judgement to interpret laws and policies. VIA Rail reserves the right to change to the Code of Ethics to reflect new realities or new legislation.

### VIA Rail Ombudsman/ Compliance Officer

The Ombudsman / Compliance Officer is not an employee of VIA Rail. He acts as an outside legal adviser who has a contractual agreement with the organization. He reports to VIA Rail's Board of Directors, which guarantees his impartiality and independence.

#### His responsibilities include:

- Overseeing compliance with the Code of Ethics, while protecting confidentiality;
- Ensuring that there are internal avenues in place to report complaints;
- Offering advice and support in reducing the factors and situations that might cause complaints or breaches;
- Investigating allegations;
- Providing advice to VIA Rail employees who are considering disclosure and providing interpretations and advice about how VIA Rail's Code of Ethics applies;
- Offering mediation services to resolve problems
- Handling complaints and wrongdoings that warrant immediate or urgent action, particularly when the subject of the complaint or wrongdoing may seriously and specifically endanger the life, health or safety of the public, employees or the environment, or when materials or equipment may become lost or damaged;
- Protecting employees who file complaints or disclose information about wrongdoings in good faith, against reprisals by submitting recommendations on the corrective measures to be taken

If you are concerned about the confidentiality of reporting, please mail or call the Ombudsman/Compliance Officer. The information you provide will be treated as strictly confidential.

### Contact information for the Ombudsman/Compliance Officer

Louis Haeck

Mailing address: 1637 rue de l'Église, Saint-Laurent, QC, H4L 2J2

Telephone: 1-866-704-0363 (direct line)

Fax: 1-888-828-2332

[ombudsman@viarail.ca](mailto:ombudsman@viarail.ca)

### VIA Rail Ethics committee

- Act as a neutral forum in the treatment of formal complaints addressed by all employees when necessary.
- Provides recommendations to the management committee for action in the case of an ethical breach that may affect the organization or reputation.
- Is composed of the CLO, the CFO, the CHRO and a legal advisor that acts as its Secretary.

## **When Should the Code of Ethics Be Used?**

### **For conflicts of interest**

When you find yourself in a situation involving a real or potential conflict of interest or in a situation involving an apparent conflict of interest, whether by chance or by choice, VIA Rail's Chief Legal Officer and Corporate Secretary must be notified immediately by submitting the appropriate form (see attached), fully completed.

### **In case of uncertainty about our ethical responsibilities**

Since a violation of laws and policies could result in a penalty up to and including dismissal, all VIA Rail employees are advised to consult the Code of Ethics and, if needed, available resources. The following are some examples of wrongdoing:

- Violating the Code of Ethics;
- Asking others to violate the Code of Ethics;
- Voluntarily failing to report a breach, delaying the reporting of a breach or not disclosing relevant information about a breach;
- Not cooperating with an investigation about a known or suspected breach;
- Taking action against an employee who reports a violation of the Code of Ethics (reprisals).

### **To make a report**

If we are involved in or witness a situation that we believe is an ethical violation, we are required to report it to our immediate supervisor or to the Ombudsman/Compliance Officer. If the breach involves our immediate supervisor, we are required to report it to VIA Rail Ombudsman/Compliance Officer with the assurance that our report will be handled fairly and free of reprisals and treated confidentially.

Although it is natural to hesitate in such a situation, VIA Rail employees are strongly encouraged to report such acts. In doing so, they help the organization prevent and address deviant behaviour, while helping to maintain its ethical culture.

Making a report will not relieve the responsibility of someone who may have participated in or tolerated the act. However, the disclosure of the wrongdoing will be considered when determining the person's level of responsibility.

- For more information on the reporting process, please refer to Appendix C.

### **Reporting in bad faith**

If someone files a report that is futile, abusive or in bad faith, corrective or disciplinary measures may be taken against that person.

## **Individual Commitment**

VIA Rail recognizes that its employees have good judgement and a good moral conscience and that they can, therefore, integrate the values of integrity, diligence, and know-how in the pursuit of their activities in order to achieve the organization's common objectives.

## **Compliance with the code**

Employees who refuse to agree to comply with the Code of Ethics or who do not exhibit the exemplary behaviours described in the code may be subject to corrective or disciplinary action, including dismissal and civil or criminal prosecution. If there is evidence of wrongdoing, VIA Rail will take appropriate steps to correct the situation and impose penalties on those responsible.

## **Condition of employment**

Agreement with the Code of Ethics is a condition of employment.

The VIA Rail Code of Ethics promotes the organization's values and the behaviours expected from all of its employees. By agreeing to comply with these values and to behave responsibly, all employees help to reinforce the organization's ethical culture and maintain the trust of VIA Rail's customers, its employees and all of its stakeholders.

## **Existing employees**

All employees must comply with the Code of Ethics and agree to uphold the organization's values.

In addition, each year during performance reviews, management staff members must renew their commitment to the values and exemplary behaviours by signing the commitment form available in electronic format.

## **New employees**

All new full-time, part-time and contract employees joining VIA Rail must comply with the principles stated in the Code of Ethics. **Agreement is a condition of employment. By signing the provided offer letter, the new employee acknowledges having read the Code of Ethics and agrees to comply with the organization's values and adopt the exemplary behaviours.**

## **Approval**

The Code of Ethics was approved by the VIA Rail management committee on the 02 day of July in the year 2014

It replaces and revokes VIA Rail's previous Code of Ethics, dated the 15th day of September in the year 2005

## **Appendix A: Glossary**

### **Glossary of Terms and Definitions**

---

#### **Wrongdoings (according to the PSDPA)**

- Violation of a federal or provincial law or a regulation made thereunder, with the exception of a violation of section 19 of the PSDPA;
- Misuse of public funds or assets; ( including Fraud)
- Serious cases of mismanagement in the public sector;
- The act of causing—by action or omission—a serious and specific risk affecting human life, safety or security or the environment, with the exception of the risk inherent to the performance of the duties and functions of a public servant;
- Serious violation of a Code of Ethics established under sections 5 or 6 of the PSDPA;
- The act of knowingly directing or advising someone to commit wrongdoings.

#### **Benefits**

---

➤ Gift	➤ Mark of hospitality	➤ Compensation
➤ Donation	➤ Remuneration	➤ Benefit
➤ Favour	➤ Payment	➤ Profit
➤ Reward	➤ Gain	➤ Advance
➤ Service	➤ Allowance	➤ Loan
➤ Commission	➤ Privilege	➤ Reduction
➤ Gratification	➤ Preference	➤ Discount

Or anything else that is useful or profitable in nature or any promise of such an advantage.

#### **Conflict of interest**

Without limiting the legal scope of the expression, means any real, apparent or potential situation in which the direct or indirect interest of an individual is such that s/he risks compromising the objective performance of a task because his/her judgement may be influenced and his/her independence of mind affected by the existence of said interest. This may also include a situation in which an individual uses or seeks to use the attributes of his/her job position to gain an unfair advantage or to procure such an advantage for a third party.

#### **Apparent conflict of interest**

Means the context by which a reasonably well informed individual may believe that a situation risks influencing an individual and reduces that person's ability to perform tasks objectively. An apparent conflict of interest may occur in the absence of a real conflict of interest.

#### **Stakeholders**

---

An individual or group with an interest in the decisions or activities of an organization.

#### **VIA Rail's stakeholders**

- Shareholder: The Government of Canada, represented by the Minister of Transportation or the minister responsible for the company, for the application of part X of the law on the management of public funds;
- Canadian population;
- Customers;
- Employees;
- Unions;
- Business partners;
- Suppliers.

## **Appendix B: Resources**

### **Contact information for the Ombudsman/Compliance Officer**

---

Louis Haeck

Mailing address: 1637 rue de l'Église, Saint-Laurent, QC H4L 2J2

Telephone: 1-866-704-0363 (direct line)

Fax: 1-888-828-2332

[ombudsman@viarail.ca](mailto:ombudsman@viarail.ca)

### **Employee Assistance Program**

---

If you are experiencing personal problems that might compromise your well-being or your work performance, you may seek help through the Employee Assistance Program (EAP). The EAP can help you address these issues, including:

Alcohol or drug use or some other behaviour leading to addiction.

Personal or work relationships.

The EAP offers confidential services to all VIA Rail employees and their immediate family

EAP Phone: 1-800-361-5676 (Fr) or 1-800-387-4765 (Eng)

### **General questions about VIA Rail's code of ethics**

---

If you have general inquiries questions about VIA Rail's code of ethics, please contact one of your human resources advisors. Your advisors will provide guidance on the different processes and or guide you towards the proper resources.

You may contact them or send an email to the following address:

[ethique\\_ethics@viarail.ca](mailto:ethique_ethics@viarail.ca)

### **References to laws, policies and financial policy**

---

Public Servants Disclosure Protection Act:

<http://laws-lois.justice.gc.ca/eng/acts/P-31.9/FullText.html>

**The PSDPA** encourages employees in the public sector to come forward if they have reason to believe that serious wrongdoing has taken place, and it provides protections for employees against reprisal when they do so.

The Act allows any person to provide the Public Sector Integrity Commissioner with information about possible wrongdoing in the public sector. It also allows employees to make disclosures to their supervisors or to the senior officer for disclosure designated for their organization. The Act created the Public Servants Disclosure Protection Tribunal to address alleged cases of reprisal.

Through these provisions, the PSDPA enhances the ability of organizations to identify and resolve incidents of wrongdoing, while supporting employees who disclose wrongdoing and protecting them from reprisal.

Organizational policies:

<http://intranet.viarail.ca/Fr/Procedures/Pages/AllPolicies.aspx>

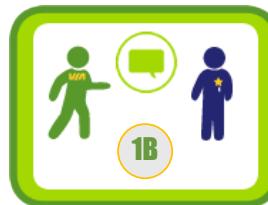
Financial policy, directives, methods, and delegation of authority:

<http://intranet.viarail.ca/Fr/Procedures/Pages/fppa.aspx>

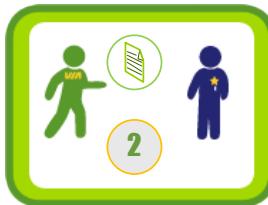
## Appendix C Part I: Process of Reporting an Ethical Breach

**1A** Immediately contact your supervisor OR the VIA Rail's Ombudsman.

**1B** Contact the Ombudsman if there is a situation that directly involves your supervisor, their superiors, or if you are concerned about the confidentiality of your reporting



**2** If following a dialogue with our supervisor OR with the Ombudsman / Compliance Officer , we come to the conclusion that this is an ethical issue that requires a disclosure in good and due form, fill in the form provided for that purpose in the appendix of the ethics code and send it to the Ombudsman.



**3** For any situation For which ambiguity is such that a preliminary investigation is needed to determine the best decision , the immediate superior OR Ombudsman appeal to the Ethics Committee for determination.



**4** In any situation, if the impact on the reputation of the organization is or may be major, The superior OR The Ombudsman appeal to the Ethics Committee.



**5**



Once a decision is made in step 2 , 3 or 4, if the nature of the information allows it , the Ombudsman or the Ethics Committee shall communicate the decision to the discloser .



All employees can contact their Human Resources advisors to obtain support about using the available resources and to understand the reporting process.

Ethique\_Ethics@viarail.ca

## Appendix C Part II: Ethical Alleged Wrongdoing Reporting Form

Date		
Employee # (PIN)		
Employee name		
Contact information	Telephone	Email

**Clear description of the alleged wrongdoing**

**Who are the people who are concerned and/or affected by the breach?**

**When (date) and where (location) was the wrongdoing committed?**

**What information and documents can be used to support these facts?**

**How does the alleged wrongdoing you are reporting represents a breach of VIA Rail's the code of ethics?**

**What efforts have been made to remedy the situation (list of measures you have taken to remedy the situation and name(s) of managers consulted to try to remedy it)?**

**What are your expectations with regard to the results of an investigation? (This allows us to fully understand what you expect from the process)**

## Appendix D: Conflict of Interest Form

Date		
Employee # (PIN)		
Employee name		
Contact information	Telephone	Email

### Background

When we fulfil our duties at VIA Rail, we must each make sure to act in the best interest of the company at all times when carrying out these tasks and obligations with integrity and objectivity, without letting personal interests or those of a third party come into conflict with those of VIA Rail.

We must, at all times, do what is necessary to maintain our independence of mind and our independent exercise of judgement while avoiding any situation likely to create a real, apparent and even potential conflict of interest that may harm our reputation and that of VIA Rail.

When we find ourselves in a conflict of interest situation or even one that seems to be conflictual, whether or not this situation is beyond our control, we are responsible for immediately disclosing it to the company's Chief Legal Officer and Corporate Secretary by submitting the duly completed form for this purpose.

If we are in doubt about a particular situation, it is in our interest and that of VIA Rail that we consult our immediate superior or the Ombudsman/Compliance officer before making a decision or taking action.

### Declaration

I have read the VIA Rail Canada Code of Ethics and more specifically the section above on conflict of interests.

I am currently unable to certify that my situation fully complies with the Code of Ethics, because I have or I may have interests that could be interpreted as likely to constitute a conflict of interest under the Code of Ethics. Therefore, I submit the following situation to the Chief Legal Officer, Corporate Secretary.

I am currently able to certify that my situation fully complies with the Code of Ethics, but for the sake of transparency, I submit the following situation to the Chief Legal Officer and Corporate Secretary.

### Description of situation

Please provide as much relevant information as possible, such as the nature and a clear description of the conflict of interest, names of the people involved, date and location, etc.

#### Address:

Chief Legal Officer and Corporate Secretary  
3 Place Ville Marie 5th Floor  
Montreal, QC H3B 2C9  
CANADA

## Appendix E: VIA Rail Canada Code of Ethics Engagement Form



### Commitment statement

I have read and understood the Code of Ethics. I agree to commit myself to respect the values stated in it and to adopt exemplary behavior in my duties and in the tasks I complete on a day-to-day basis for VIA Rail.

Last name:

First name:

PIN:

Signature : \_\_\_\_\_

Date :  -  -   
Year                    Month                    Day

Please return this form to the attention of  
  
VIA Rail Canada  
Human resources  
3 Place Ville Marie 5th Floor  
Montreal, Qc  
H3B 2C9