

# EMPLOYEE CONFLICT OF INTEREST AND COMMITMENT

## APPENDIX A – EXAMPLES OF POLICY BREACHES

It is not possible to list each and every behavior which could violate this policy. Employees are expected to exercise sound judgement, consider the principles that shape the policy, and when in doubt seek guidance, to avoid breaches of the policy.

The following, while not a comprehensive list, provides examples and explanations of Employee Conflict of Interest and Commitment situations. It is important to remember that, even if you do not actually take advantage of these situations in favour of yourself or someone close to you, there is still a potential that others will suspect that you may do so. Even in the case of a gift given to you, there may be a perception that the gift was given in an effort to gain favour, which also places you in conflict. This perception of Conflict can be reduced or eliminated by full disclosure and, where necessary, other measures as suggested or required by the College. Not only do the procedures under this Policy serve the College's Mission and Values, they also serve to protect your reputation.

### EXAMPLES OF EMPLOYEE CONFLICT OF INTEREST

#### (1) *Potential to Favour Outside Interests*

Conflicts like this exist if you are involved in any College discussion, vote or decision from which you or a person close to you (family, friend, business colleague) could derive a financial benefit. Situations out of which such Conflicts of Interest could arise, for example, by:

- (a) Being involved in decision-making about contracts, programs, services, leases, equipment rental, material supply, etc., even if your involvement is only at the discussion stage;
- (b) Actually entering into a contract with a third party on behalf of the College;
- (c) Managing (supervising or controlling) and/or directing (guiding or conducting) a College program to serve the needs of yourself or a person close to you, rather than or in preference to the needs of the College;
- (d) Encouraging or requiring students to purchase services, supplies, materials, etc. resulting in a potential financial advantage to yourself or someone close to you.
- (e) Accepting significant gifts or special favours for personal gain from private organizations or individuals with whom the College does business, or from students or colleagues, without complete disclosure to and approval from your supervisor.

#### (2) *Inappropriate Use of College Personnel, Resources or Assets*

Conflicts of Interest may also arise if you are in a position to use College resources for non-College activities. Examples include:

- (a) Using College students or staff on College time to carry out work for an enterprise in which either the individual or a person with a relationship to that individual has a financial or other interest;

- (b) Unauthorized and non-reimbursed use of College resources or facilities to benefit a private concern in which either the individual or a person with a relationship to that individual has a financial or other interest. This includes College assets which are deemed surplus and must be disposed of according to College policy.

(3) *Inappropriate Use of Information*

Another area of Conflict of Interest involves taking advantage of information acquired in the performance of College activities and duties. Examples include:

- (a) Using for personal gain or other unauthorized purposes, privileged information acquired as a result of the individual's College activities; such information might include knowledge of forthcoming developments requiring contractor selection, etc.
- (b) Unreasonably delaying publication of information or effecting premature release of information to secure personal gain or to secure gain for a person with whom an individual has a relationship.

(4) *Employment and Evaluative Relationships*

Exploiting College relationships and one's own role in the performance of College duties to benefit yourself or a person close to you also places you in a Conflict situation. Examples include:

- (a) Participating in the selection, supervision, counselling, evaluation or discipline of a student with whom the individual has a personal relationship including consensual romantic and/or sexual relationship.
- (b) Participating in the personnel decisions (selection, supervision, evaluation, approval/denial of increments/performance pay, etc.) involving a person with whom the individual has either a familial or a personal relationship (including consensual romantic and/or sexual relationships).
- (c) Having direct or indirect authority over the employment of a person with whom the individual has either a familial or a personal relationship (including consensual romantic and/or sexual relationships). Such authority or influence may arise from participation in decisions, recommendations or judgments related to: the approval/denial of increments/performance pay, the assignment and approval of overtime, the negotiation of salary level, the conduct of performance appraisals, the assignment or direction of work assignments, the approval of leaves of absence or the disciplinary process.

## **EXAMPLES OF EMPLOYEE CONFLICT OF COMMITMENT**

External employment, or self-employment, is permitted if there is no Conflict of Commitment. However, employees in full time positions are compensated for full-time employment. A Conflict of Commitment would exist when a College employee has an outside interest which materially encroaches on time or attention which should be devoted to the affairs of the College or so affects his/her energies as to prevent the application of full abilities to the performance of duties.

Employee Conflicts of Commitment do not include standard, external, professional and academic activities such as memberships in professional organizations, journal editing, attendance or preparation for conferences or other professional activities.

Some examples of Conflict of Commitment situations include:

- a) College employee arranges to work for someone else and such an arrangement conflicts with the time commitment to the College.
- b) During the course of employment, a College employee is engaged in a business that competes with that of the College.
- c) A College employee solicits College clients to advance his or her Personal Interests.