

APPENDIX A – EXAMPLES OF BREACHES

It is not possible to list each and every behaviour which could violate this Code. The following is not intended to be a comprehensive list but rather provides a range of examples that may constitute a breach of the Code. Employees are expected to exercise sound judgement, consider the principles that shape the policy, and when in doubt seek guidance from their manager to avoid breaches of the Code of Conduct. Some questions that should be considered in deciding on appropriate behaviour are:

- Is the conduct consistent with the Employee Code of Conduct and/or College policies, practices and procedures?
- Is it consistent with applicable professional standards in my field of expertise?
- Will it reflect well on me and the College?
- Would I want to read about it in the newspaper?
- What would an objective third party think?
- Whom should I consult with for guidance or to assist me in resolving this situation?

The following list of examples, while not comprehensive, is illustrative of situations which may constitute a breach of the Code and/or College policies and that may result in disciplinary action:

Responsible, Safe and Ethical Job Performance

Professional Behaviour

- When representing the College at a professional engagement or event, including learning activities, engaging in any behaviour that may bring an employee's own reputation or that of the College into disrepute (i.e. excessive alcohol use, loud, disrespectful comments).
- Allowing personality conflicts to escalate to unprofessional conduct in the workplace.
- Being under the influence of alcohol, or drugs in the working and learning environment.
- Possession of, or trafficking in, a controlled substance as defined in Provincial legislation.

Workplace Health, Safety and Security

- Failure to participate in required drills and observe lockdown procedures, fire alarms, and emergency preparedness plans.
- Carrying or possessing weapons or dangerous chemicals (except where required and permitted for academic purposes).
- Refusal or failure to follow all safety requirements including how to properly use safety equipment as instructed and/or as is defined by professional standards and the *Occupational Health and Safety Act*.
- Smoking (tobacco, electronic cigarettes) on College property, or at college events and activities other than designated areas.

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Respectful Interaction with Others

Respect and Dignity

- Using of insulting, lewd or obscene language.
- Making remarks or engaging in conduct that is racist, sexist, or in other ways discriminatory, as defined by the *Nova Scotia Human Rights Act* and NSCC's Respectful Workplace and Learning Environment (Discrimination and Harassment) Policy, nor permitting any employee, or student in any class, to do so.
- Physical/sexual abuse, violence, threats of violence or intimidating behaviour.
- Bullying, harassing, discriminatory or other demeaning behaviour or making comments that should be known to be unwelcome and disrespectful.
- Engaging in behaviour or making remarks that could reasonably be interpreted as threatening, or allowing any employee or student in any class to engage in such behaviour.
- Encouraging, by inaction or innuendo, the development of a workplace or classroom environment that is fractious, disrespectful of others, or otherwise inconsistent with this Code of Conduct.
- Any behaviors that threaten positive and productive relations with other people including negative, malicious, or unkind remarks.
- Taking retribution or reprisal against an individual who has reported/disclosed improper activity or policy violations.

Acting with Integrity

Favouring of Outside Interests for Personal Gain

- Exerting influence on the discussion of, or voting on, College decisions relating to agreements, programs and/or services to the advantage of the individual or person with a relationship to that individual.
- Engaging in a College agreement or service contract with a third party in which either the individual or a person with a relationship to that individual has a financial or other interest.
- 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 the person's supervisor.

Inappropriate Use of College Personnel, Resources or Assets

- Using College students or staff on College time to carry out work in which either the individual or a person with a relationship to that individual has a personal, financial or other interest.
- 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.

Abuse of Authority

Employees entering into a consensual romantic and/or sexual relationship with a student. Such relationships undermine the integrity of the learning environment and pose a risk that they exploit the relationship of authority and trust that is inherent in the relationship between employees and students.

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Conflicts of Interest - Employment and Evaluative Relationships

- Participating in the selection, supervision, teaching, counselling, evaluation or discipline of a student with whom the individual has a personal relationship including consensual romantic and/or sexual relationship. This includes any other potential evaluative situations and any pre-existing relationships (i.e. those existing *prior* to the evaluative process/individual becoming a student).
- Participating in the personnel decisions (selection, supervision, evaluation, approval/denial of increments/performance pay, etc.) involving a person with whom the individual has a personal relationship including consensual romantic and/or sexual relationship. This include oversight of work or other potential evaluative situations and any pre-existing relationships (i.e. those existing *prior* to the evaluative process).
- Having direct or indirect authority over a relative's employment through decisions, recommendations or judgments related or influence to: the approval/denial of increments/performance pay, the assignment and approval of overtime, the negotiation of salary level, conduct of performance appraisals, discipline, the assignment or direction of work assignments, the approval of leaves of absence.
- Failure to declare and/or remove self from any situation where there is a real or perceived risk of favouritism, or to be in a position to influence the hiring, or supervise employment activities of an immediate family member or person with whom a relationship exists per the Conflict of Interest & Commitment and Employment of Relatives policies.

Conflicts of Commitment

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

Fraud and Dishonesty

- Lying about matters connected with work.
- Using College credit card for personal purchases.
- Giving or receiving a bribe in any form and/or covering up bribery.
- Theft and/or any improper act to conceal the theft of College assets.
- Embezzlement of College assets.
- Inaccurately reporting financial information for a personal advantage (falsifying travel and expense claim forms, falsifying hours of work time records, not recording/reporting vacation taken)
- Authorizing or receiving remuneration for time not worked
- Authorizing or receiving remuneration for goods that were not received or services that were not performed.

Copyright and Academic Integrity

- Taking credit for the work of others by misrepresenting or not disclosing (by including credits) the source or authorship of the content per procedures in the NSCC Use of Copyright Materials Policy.
- Using copyright protected materials in excess of the limits placed by educational copyright exceptions and NSCC Use of Copyright Materials Policy.

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Record Keeping and Use of Information

- Collection, use, disclosure or disposal of personal information contrary to the requirements of the Freedom of Information and Protection of Privacy Act (FOIPOP).
- Knowingly destroying, discarding, omitting, altering, or submitting false information in any official College documents, records or files.
- Knowingly signing or approving records that are untruthful or inaccurate (overtime, leave reporting).

Stewardship of physical assets and resources

- Deliberate damage to College property and/or unauthorized use of College equipment, supplies, resources or property.
- Theft, misuse or waste of assets or equipment.
- Unauthorized removal of College property.
- Misuse or altering I.D. cards, access cards.

Stewardship of electronic and/or online assets and resources

- Knowingly accessing websites that would be violations of the Human Rights Code and/or College policies.
- Conduct which violates NSCC's Social Media Policy.
- Unauthorized access to emails or files.
- Installing unapproved, unauthorized or unlicensed software onto College equipment.
- Knowingly transmitting, downloading or storing any communication of a damaging nature (such as viruses).

Avoiding Inappropriate Communications

Inappropriate Use of Information

- Using for personal gain or other unauthorized purposes, private or confidential information acquired as a result of the individual's College activities; such information might include knowledge of forthcoming developments requiring contractor selection, etc.
- Unreasonably delaying publication of information or premature release of information to secure personal gain or to secure gain for a person with whom an individual has a relationship.
- Including the College (or any part of it) or a College position title when publicly expressing personal views on any matter;
- Failing to exercise reasonable discretion whenever discussing business outside the organization or at organization events.

Communication and Official Information

- Failure to respect confidentiality and privacy of any information concerning other employees or students provided in the course of conducting business.
- Discussing sensitive College business in public or disclosing information received through their position at the College which is not published or available to the general public.
- Knowingly furnishing false information, knowingly making a false accusation or knowingly reporting a false emergency to any College Leader or Office;
- Failure to comply with the requirements of any of the following: applicable funding applications and agreements; College and other applicable policies; standards of the relevant profession; any disciplinary requirements imposed; or and any laws or regulations.
- Violating Copyright or any College policies related to information ownership rights and approvals, replication and circulation.