

EMPLOYEE CONFLICT OF INTEREST

Background

A conflict of interest arises where an employee's private interest affects the discharge of his/her duties with the District. A conflict of interest can exist without wilful wrongdoing and without evidence that an employee's judgement was, in fact, affected. Conflict of interest occurs when an employee is involved directly or indirectly in an activity, interest, or association (other than a job-related professional association or labour union) that may or will influence his/her actions, recommendations, or decisions in carrying out his/her duties as an employee of the District. Where employees perceive a conflict exists or are uncertain as to whether or not a conflict of interest exists, they must discuss the matter as soon as possible with their supervisor or department head before acting further.

For the protection of the District's interest or to avoid prejudicing the District's position on a subject matter and for the protection of those serviced by the District, employees who deal with or obtain information identified or understood to be confidential shall not discuss or disclose such information to other employees or other persons or organizations, except as authorized by their supervisor or department head. Employees with access to confidential material must take reasonable care to prevent its examination by unauthorized persons. Supervisors will make every reasonable effort to advise employees as to what specific information or types of information are confidential. Employees uncertain whether information is considered to be confidential are expected to obtain direction from their supervisor or department head.

Employees may not use or attempt to use information not available to the public to attempt to obtain a benefit for themselves or anyone else.

It is recognized that disclosure of information deemed confidential may be necessary if an employee is under oath, under subpoena, or attending or taking part in a hearing pursuant to the employee's rights under a collective agreement.

Procedure

1. Public confidence in the impartiality, independence, and integrity of District employees is essential for the proper administration of the District's affairs. To maintain this confidence, employees must not participate in activities that may or will conflict with their obligations to the District.
2. This Administrative Procedure applies to all District employees. Failure to meet the District's requirements in relation to conflict of interest is considered to be a serious breach of the employee's obligations that may result in discipline or dismissal.
3. Even when an actual conflict of interest does not exist, employees are expected to be careful of conduct that may give the "perception" of a conflict of interest. Employees unsure as to whether or not a conflict exists are to discuss the matter with their supervisor or department head.

4. Employees are to ensure that they are familiar with this Administrative Procedure and discuss any areas of doubt with the supervisor or department head. Supervisors and department heads are expected to seek direction from their respective managers where a question regarding conflict of interest arises.
5. An employee must not engage in any outside work, be involved in any business or undertaking, including a relationship of ownership or employment or consanguinity or marriage to an owner, officer, employee, and/or consultant, or hold any property of interest, either personally or through a company or agent, that may or will be in conflict, or give a perception of conflict, with the employee's duties to the District.
 - 5.1. The District normally will not conduct business relationships with an employee with external business interests, unless there is no other source for the required product or service. Exceptions will require the approval of the Secretary-Treasurer.
6. Employees shall not engage in employment or voluntary activity with another business or organization that, due to its nature, is fundamentally contrary to the Board's interest of supporting the education and general welfare of children and youth.
7. No Employee shall have, without specific approval of the Board, a continuing contractual relationship with another school district while holding a continuing contractual relationship with the Board of Education.
8. An employee must not accept any consideration or gratuity whatsoever for advice given, service provided, or materials prepared in connection with any application, submission, or proposal made to the District or be a party to, or have an interest, direct or indirect, in any transaction or contract (other than a union agreement) to which the District or any District or commission is a party. An employee may participate in District programs open to the public and may purchase District property or goods offered through a broker of the District for public sale.
9. An employee must not place him/herself in a position where he or she is, or may be, under an obligation to any person who has a business or other dealings with the District and would benefit from special consideration or treatment by that employee.
10. An employee shall not, in the performance of his/her duties, grant any special consideration or treatment to any person or company unless authorized to do so by the District or the supervisor or department head or unless the action constitutes a reasonable exercise of a discretion that is assigned to the duties of the employee's position.
11. No supervisory shall be directly responsible for hiring or formally evaluating an employee and no employee shall directly request a teacher on call, substitute or replacement worker who is a member of their immediate family including spouses, common-law spouse, 'significant other', child, step-child, father, mother, father-in-law, mother-in-law, step-parent, sister, brother, sister-in-law, brother-in-law, grandparent, grandchild, uncle, aunt, niece, nephew, or other dependent relative.
12. An employee shall not accept any money, property, position, or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have, dealings with the District, save for appropriate refreshments or meals. An employee shall immediately report to their supervisor or department head any offer received of any such money, property, position, or favour.

13. Where an employee has an interest in a matter they are dealing with as a result of a membership in a club or organization, the employee is to exclude him/herself from making critical decisions or granting approvals.
14. Employees must ensure that their private interests do not prejudice their effectiveness in their position or compromise or embarrass the District.
15. Employees may acquire ownership of publication and copyright provided that no school or district resources, time, equipment, or facilities have been utilized in the preparation, testing or piloting, publication, or promotion of the material.
16. Employees who wish to utilize school or district resources, time or equipment or facilities in preparation, testing or piloting, publication and/or promotion of the material shall make a written request, through their supervisor, to the Secretary-Treasurer.

Reference: Sections 20, 22, 23, 65, 85 School Act
Employment Standards Act

Adopted: September 2022
Revised: