

3.4 CONFLICTS OF INTEREST

Classification: Personnel - All Effective Date: 28SEP00 Supersedes: 26JAN89

Preamble

Each member of the Faculty and Staff occupies a position of trust in dealing with others outside the University. Whatever the area of activity or degree of responsibility, the University expects each member of the Faculty and Staff to act in a manner which will enhance the University's reputation for ethical performance in all its dealings.

POLICY

- 1.00 A conflict of interest arises where a member of the Faculty or Staff has or could be seen to have the opportunity to use the authority, knowledge, or influence derived from his or her position to benefit improperly the member or another person. Such situations include but are not limited to the following:
 - (a) Participating as a director, officer, or in any other capacity in the management of a firm which is a supplier of materials or services to the University.
 - (b) Having personal financial dealings with an individual or company whose business with the University involves the member's sphere of responsibilities.
 - (c) Making an investment in any situation in anticipation of the University taking a material interest therein or which results from knowledge of facts not generally available to the public or in anticipation of actions which may be taken by the University in such a situation.
 - (d) Participating in the appointment, promotion, or tenure process affecting an immediate relative (i.e., a spouse, parent, in-law, sibling, child, or stepchild).
- 2.00 A conflict of interest arises if gifts, gratuities, or favors of any kind are exchanged between members of Faculty or Staff and any individual or company whose relationship with the University involves the member's sphere of responsibilities.
 - 2.01 This policy is not intended to prohibit the acceptance or giving of common courtesies associated with accepted business practices, including accepting or giving gifts of nominal value which could not be construed as a bribe or other improper payment. However, employees should never expect any favors and should tactfully discourage the practice.
 - 2.02 Cash payments in any amount must not be accepted or given as a gift or favor under any circumstances.
- 3.00 A conflict of interest arises if a member of Faculty or Staff accepts outside employment or engages in outside activities which may interfere with the efficient performance of University duties.
- 4.00 A conflict of interest may arise as a consequence of the regular full-time appointment of an immediate relative to the same department, or to a position such that the responsibilities of one member directly affect the employment status or the responsibilities of the other.

ADMINISTRATIVE PROCEDURES

- 5.00 If a Faculty or Staff member is faced with a situation involving an existing or potential conflict of interest, or is in any doubt about the application of these policies, he or she must report the circumstances to:
- (a) in matters relating to the acquisition of goods and services, the Director of Purchasing;
 - (b) in other matters, the Dean or Budget Head.
- 6.00 The Director of Purchasing, Dean or Budget Head shall:
- (a) determine that no conflict of interest exists or will exist; **or**
 - (b) find that a conflict of interest does or will exist, and reach written agreement with the member(s) involved on the means by which that conflict will be removed or avoided;
or
 - (c) refer the case to the appropriate Associate Vice-President or Vice-President for action.
- 7.00 In the case of 4.00 above, for a staff appointment the Dean or Budget Head recommending the appointment must send a letter requesting approval to the Employee Relations Section of the Human Resources Department which, in turn, will forward the appointment notice to the Associate Vice-President (Human Resources) and the Vice-President (Resources & Operations) for a decision. For faculty appointments, the Dean must send a letter requesting approval to the Provost for a decision.