

Procedure Number:	8003p
Procedure Title:	Standard of Conduct
Approved by:	President
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## 1. Purpose

1.1. These procedures are designed to support the Standard of Conduct policy.

## 2. Duty of Loyalty

2.1. All employees have a duty of loyalty to the University, and are expected to exhibit the highest standards of ethical conduct. Employees must act honestly and in good faith, and avoid conflicts of interest.

## 3. Key Principles: Accountability and Integrity

3.1. To maintain the highest standards of honesty, integrity and ethical conduct, when engaging with fellow employees, students, business partners, and anyone else with whom an employee engages in the course and scope of their work duties, employees must adhere to the following standards of conduct:

- Always act with fairness, honesty, professionalism, integrity and openness and contribute to a positive working environment;
- Always act in compliance with applicable laws;
- Respect the opinions of others;
- Treat everyone with equality and dignity without regard to race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age or any other characteristic that is protected by the BC Human Rights Code; and
- Promote the mission and goals of the University in all dealings with fellow employees, students, business partners, and anyone else with whom the employee engages in the course and scope of their work duties.

## 4. Conflicts of Interest

4.1. General principles

4.1.1. While the University recognizes that employees have private lives and will have outside interests as citizens and members of the community, employees are expected to conduct their private affairs in a manner that avoids any actual, potential or perceived conflict between their Private Interests and their duties to the University.

4.1.2. A conflict of interest will arise in any situation where an employee's Private Interest may influence or conflict with an employee's duty to act in the best interests of the University.

4.1.3. Employees are expected to arrange their private affairs in a manner that prevents conflicts of interest from arising.

4.1.4. Employees have a duty to disclose actual or potential conflicts of interest at the earliest possible opportunity. Disclosure is required before the employee engages in the activity that may create a conflict.

## 4.2. Examples of conflict of Interest Situation

### 4.2.1. Gifts and Entertainment

4.2.1.1. Employees must not request or accept from an individual (including a student), corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their employment with the University. The only exceptions are minor gifts and token courtesies which do not place, or do not have the appearance of placing, the employee under any obligation to the outside party.

4.2.1.2. When an employee is in doubt as to whether to accept a gift, the employee should discuss the situation with their Supervisor.

### 4.2.2. Personal Relationships at Work

4.2.2.1. Conflicts of interest arising out of close personal relationships in the workplace must be avoided. Employees must never have influence, input or decision-making over the hiring, supervision, evaluation, promotion, discipline, dismissal or establishment of terms and conditions of employment of a Related Person. This includes, but is not limited to, influence over the engagement, evaluation or retention of a Related Person who is a contractor or other person with whom the University conducts business.

4.2.2.2. Employees must not participate in personnel decisions pertaining to Related Persons.

4.2.2.3. Employees and their Related Persons must not be employed or retained in positions where the working relationship affords an opportunity for collusion between them.

4.2.2.4. The above restrictions on working relationships may be waived at the discretion of the University, provided sufficient safeguards are in place to ensure that the University's interests are not compromised.

#### 4.2.3. Relationship with Students

4.2.3.1. Faculty members and other University employees who are responsible for dealing with students have a duty to act in a fair, objective and unbiased manner at all times. Given the imbalance of power inherent in such relationships, employees must avoid situations where the employee is responsible for instructing, evaluating or otherwise dealing with a student who is a Related Person. Any employee who has influence, input or decision-making power over a student's instruction, evaluation, academic interests or other matters shall not become involved in a business, financial or close personal relationship with a student for the duration of their professional, supervisory or evaluative role.

4.2.3.2. It is a breach of trust for a faculty member or other University employee to enter into a romantic or intimate relationship with a student, whether or not that relationship is consensual, in circumstances where the student may be vulnerable because of the employee's position of power.

4.2.3.3. Any actual or potential conflicts of interest arising from a business, financial or close personal relationship with a student must be reported immediately to the employee's Supervisor and managed in accordance with this Code.

#### 4.2.4. University Personnel, Resources or Assets

4.2.4.1. Employees must not use the University's students, employees, resources, intellectual property, instructional materials, facilities or assets for the personal or private purposes of the employee, a Related Person, or a company or organization in which the employee has a Private Interest, without first obtaining the written permission of the University.

#### 4.2.5. Influence or Personal Gain

4.2.5.1. Employees must not use their position with the University for personal advantage or gain.

4.2.5.2. An actual or potential conflict of interest must be declared and managed before an employee

- purchases or influences the purchase of equipment, supplies or services from the employee, a Related Person, or a company or organization in which the employee has a Private Interest,
- sells, transfers or disposes of University assets to the employee, a Related Person, or a company or organization in which the employee has a Private Interest,
- selects or influences the selection of textbooks or other instructional aids for a course, in circumstances where the employee, a Related Person, or a company or organization in which the employee has a Private Interest, will receive revenue from the sale of the textbook or instructional aid, or

- receives payment from an outside source for work that is part of the employee's duties and responsibilities.

#### 4.2.6. Conflict of Commitment

##### 4.2.6.1. University employees must

- devote all their time and attention, and provide their best efforts, skills and talents, to the business of the University during the employee's working hours,
- faithfully, honestly and diligently perform the employee's duties and responsibilities,
- deal at all times in good faith with the University and its Board members, employees, students and other stakeholders, and
- act at all times in the best interests of the University.

4.2.6.2. A conflict of commitment occurs where an employee is, or might reasonably be perceived to be, engaging in outside business or employment activities that conflict with the obligations described above. Conflicts of commitment may arise from external teaching, research, consulting, professional or other activities which, by virtue of their nature or time commitment, prevent the employee from fulfilling their obligations to the University.

4.2.6.3. No employee shall, without the written authorization of the University, engage in any activity that conflicts or competes with the University, or which materially encroaches on the time or attention which should be devoted to the University, or affects the employee's ability to fully discharge their University responsibilities.

4.2.6.4. While situations involving conflict of commitment are more applicable to full-time employees, part-time employees are also required to ensure that they have the ability to devote the time and attention required to fulfill their duties and responsibilities as employees of the University.

#### 4.3. Disclosure of Conflicts of Interest

4.3.1. If an employee is or becomes aware of an actual or potential conflict of interest involving themselves or another employee, the employee has a duty to disclose the details to their Supervisor at the earliest possible opportunity.

4.3.2. If an employee is unsure whether a particular situation presents an actual or potential conflict of interest, the employee should discuss the matter with their Supervisor. If further guidance is required, it should be sought from Human Resources.

4.3.3. If the University determines that an actual or potential conflict of interest exists, the University will take appropriate steps to avoid or manage the conflict. These steps may include, but are not limited to, the following:

- Requiring the employee to refrain from being involved in any decisions or dealings on behalf of the University that may conflict or otherwise intersect with the employee's Private Interest;
- Taking steps to ensure that the employee does not exercise supervisory, instructional or other responsibilities in connection with a Related Person;
- Requiring the employee to cease their involvement in the Private Interest at issue;
- Removing the employee from any position(s) of trust or authority that may conflict or otherwise intersect with the employee's Private Interest; and/or
- Requiring the employee to repay any benefit received by the employee that may have been connected to a Private Interest.

4.3.4. The above list is not exhaustive. The University has the sole discretion to implement any protective steps it considers necessary to avoid or manage an actual or potential conflict of interest or otherwise to protect the University's interests.

## 5. Confidential Information

5.1. "**Confidential Information**" means information disclosed to, used by, developed by, or made known to an employee in the course of their employment which is not generally known by persons outside University. It includes, but is not limited to, information (printed, electronic or otherwise) pertaining to the University's past, present, future and contemplated students, employees, assets, operations, practices, methods, facilities, equipment, technology, research, marketing methods or strategies, finances, inventions, routines, policies, and procedures.

5.2. University employees have access to and are entrusted with Confidential Information in the course of their employment. All employees are responsible for ensuring that Confidential Information is protected from unauthorized access, use, and disclosure.

5.3. Employees must do the following:

- hold all Confidential Information in strict confidence, and not discuss, communicate or transmit Confidential Information to unauthorized persons;
- not make any unauthorized copies of Confidential Information;
- not disclose Confidential Information to anyone except as authorized by the University in writing;
- not use Confidential Information for any purpose other than carrying out the employee's authorized duties for the University and, in particular, not use Confidential Information for the employee's own benefit or permit it to be used for the benefit of any other person without the written authorization of the University;
- use reasonable precautions in dealing with Confidential Information so as to prevent any person from having unauthorized access to it; and
- return all Confidential Information when the employee's employment with the University ends.

## 6. Harm to Business or Reputation

6.1. Employees must refrain from engaging in any conduct that could harm the University's business or reputation. Such conduct may include, but is not limited to, the following:

- Publicly disparaging or criticizing the University or its employees, students, or other stakeholders, unless such criticism represents a proper and responsible exercise of the employee's academic freedom; or
- Engaging in any illegal conduct, activities or actions, both business related and personal, or any other behaviour that could harm the University's business or reputation.

## 7. Compliance and Reporting Procedures

7.1. Employees must always comply with this Code. However, not every situation can be addressed specifically in this Code. Employees are expected to apply the principles outlined in this Code in exercising sound judgement when faced with questions, concerns or issues which do not present obvious correct answers or approaches.

7.2. Employees have a duty to report any practices or conduct believed to be a breach of this Code, or any conduct that may be inappropriate, unacceptable and/or illegal, to their Supervisor.

7.3. Employees must provide as much information as possible in the report, such as the names of people involved, witnesses, where the events occurred, when they occurred, and what practices or conduct is alleged to constitute a violation of this Code or to be inappropriate, unacceptable and/or illegal. If there are any supporting documents, such as emails, handwritten notes or photographs, such documents should be included to enable the University to conduct a proper and complete investigation.

7.4. The University will endeavor to investigate reports made under this Code sensitively and confidentially and will not disclose personally identifiable information, unless disclosure is permitted and/or required. Depending on the circumstances, the University may not be able to guarantee anonymity. The University may also involve outside legal, accounting or similar advisors to assist in the conducting of an investigation.

## 8. Retaliation Prohibited

8.1. The University prohibits retaliation against an employee

- for making a report and/or participating in an investigation relating to compliance with this Code, provided the employee has acted in good faith based on a reasonable belief, and
- who, in connection with any proceeding by or before any regulatory authority, administrative agency, government enforcement agency, court, arbitration or other governmental forum or body, lawfully participates and/or assists in an investigation or hearing and/or provides testimony or files a complaint or claim.

**9. Frivolous or Bad Faiths Reports**

9.1. An employee must not make a report under this Code that is malicious, frivolous, vexatious, in bad faith, or otherwise not supported by a reasonable belief.

**10. Breach of this Code**

10.1. Any employee who fails to comply with this Code may be subject to disciplinary action, up to and including termination of employment.

**11. Amendments to this Code**

11.1. The University reserves the right to amend or update this Code from time to time at its sole discretion.