

Administrative Procedure 401

STAFF CONFLICT OF INTEREST

Background

Effective management of the Division is facilitated by employees avoiding situations which could be construed as placing them in a conflict of interest. This obligation demands that there not exist, or seem to exist, conflict between the private interests of employees and their responsibility to the Division and the community.

Procedures

1. These procedures shall apply to all salaried employees of the Division and all persons employed on a contractual basis.
2. For the purposes of these procedures, a conflict of interest arises when:
 - 2.1 An employee, because of knowledge, responsibilities or authority associated with the employee's position with the Division is perceived as, directly or indirectly, providing benefit to:
 - 2.1.1 Him/herself personally.
 - 2.1.2 A member of the employee's family.
 - 2.1.3 A business or an organization in which that employee, or a member of the employee's family, has an interest or holds a position.
 - 2.2 An employee's relationship, employment or position with or interest in, another person, business or organization affects the exercise of the individual's duties or responsibilities as an employee of the Division.
 - 2.3 A conflict of interest exists in the above situations irrespective of whether the Division, under the particular circumstances has been disadvantaged or receives a benefit.
3. An employee shall not accept a gift, favour or service from any individual, organization or corporation with which the Division does business or potentially may do business, other than normal exchanges of gifts between friends, the normal exchange of hospitality between persons doing business together, tokens exchanged as part of protocol, or the normal presentation of gifts to persons participating in public functions.
4. Employees who exercise a regulatory, inspectional or other discretionary control over others shall, wherever possible, disqualify themselves from dealing with relatives with respect to those functions.
5. Employees may not take supplementary employment including self-employment, which may cause an actual or apparent conflict of interest.
6. The Superintendent will:
 - 6.1 Ensure that all employees are familiar with and adhere to these procedures.

- 6.2 Review conflict of interest situations and interpreting and applying these procedures as appropriate.
- 6.3 Inform the Board on conflict of interest situations and their resolutions.
7. Where an employee does find him/herself in an actual, perceived or potential conflict of interest, the employee must:
 - 7.1 Disclose in writing to his/her supervisor and the Superintendent the nature and extent of the conflict of interest.
 - 7.2 Refrain from acting in connection with the conflict of interest unless, and to the extent that, the Superintendent may in writing otherwise permit.
8. Where there is disagreement with the Superintendent's ruling regarding a perceived conflict of interest, the employee may request that the Superintendent's decision be reviewed by the Board.
9. An employee who is in breach of these procedures may be subject to disciplinary action which could include reprimand, suspension and/or termination of contract and/or administrative designation.

Reference: Section 33, 52, 53, 68, 196, 197, 203, 204, 222, 225 Education Act
Freedom of Information and Protection of Privacy Act
Canadian Human Rights Act
Alberta Human Rights Act
Personal Information Protection Act
Collective Agreement