

# COULD I HAVE A CONFLICT OF INTEREST???

## COMPANION GUIDE

This Companion Guide is issued to support the College of the North Atlantic's (CNA) Conflict of Interest Policy (the Policy). In instances of conflict between the Policy and the Companion Guide, the Policy will prevail.

CNA employees have a duty to avoid a conflict of interest, to ensure appropriate conduct, to report a conflict of interest, and to take action to mitigate conflict of interest. Employees are not to engage in any business or transaction of a personal or financial nature that would compromise the fair and honest discharge of their duties or impact CNA's reputation.

Real, perceived, or potential conflict of interest situations can take many different forms while one is employed at CNA. Here are some common types of situations that should be disclosed:

- Employment outside the college.
- Personal involvement in personnel decisions involving relatives.
- Interest in a research project, a business or a contract.
- Influencing a purchase of equipment, materials or services.
- Accepting gifts, benefits or favours.
- Use of privileged information.
- Use of the labour of CNA students or personnel or college resources or assets.
- Academic program decisions affecting relatives.
- Involvement in compliance decisions affecting students known to you.
- Advancing outside interests for personal gain.
- Conflict of commitment while volunteering.

The Policy requires all employees to disclose any situation that has the potential to conflict with their public service duties at CNA. Because it is so closely tied to public confidence in government, the best approach to dealing with a potential conflict of interest situation is:

*when in doubt, find out.*

Employees should talk to their supervisor about any situation or circumstance that could affect or call into question their impartiality.

Supervisors should advise employees of their responsibilities under the Policy and inform them of the need to submit a COI declaration as required by the Policy. Human Resources staff can also help.

If supervisors become aware of a potential conflict of interest circumstances involving an employee, they must advise the employee of their duty to disclose under the Policy by completing a COI declaration.

## Dealing and Working with Others

It is essential that all employees perform their jobs fairly and without bias. This means avoiding situations where their impartiality may be called into question.

### *Exercising authority*

Many of our employees have decision-making powers and authorities that come with their job. Employees have an obligation to remove themselves from exercising their authority in situations where the nature of their relationship with another person or organization may be a cause to doubt their impartiality.

Employees who find themselves in a potential conflict of interest situation should tell their supervisor who will make sure the matter is handled by another employee or in some other acceptable manner.

*For example:*

- **Approving the procurement of goods or services when one of the suppliers is an organization for which you are a director or volunteer.**
- **A Guidance Counsellor providing services to a student who is the child of a close friend.**
- **Participating on a scholarship or bursary committee making recommendations on an applicant who is your neighbour.**

### *Working with Relatives*

*For example:*

- **Sitting on a hiring committee when one of the applicants is your son-in-law or a close friend.**
- **Supervising a student on work-term assignment who is your step-daughter.**
- **Entering into a common-law relationship with your supervisor or your student.**

Employees have the right to maintain personal relationships and to be free from discrimination based on family status. Immediate family members may work in the same department or unit so long as there is no opportunity to exercise favouritism.

As outlined in the Policy, it would be considered a conflict of interest for an employee to participate in hiring or to directly supervise a member of their immediate family.

## Using government property

CNA's expectation is that employees will use college equipment, facilities and property for college-related business, not to further their own interests.

Personal usage is permissible provided it does not jeopardize college security, information or operational requirements. Personal usage should not be excessive and must be limited to non-working times during your workday.

*For example:*

- **Downloading college information on your home computer.**
- **Using the college's PowerPoint projector to make a presentation for a consulting project.**

## Other Employment

Employees may hold additional jobs outside of CNA, including self-employment, so long as they don't conflict with their CNA position.

*For example:*

- **Receiving frequent phone calls and faxes at your college office that relate to your weekend landscaping company.**
- **Accepting an outside consulting project to conduct a review of a program administered by the department in which you are employed at the college.**
- **Working late nights as a bartender and regularly arriving late for your college job.**
- **Accepting an honorarium to speak at a conference while acting in an official NL government or CNA capacity.**

In this context, conflict of interest may arise if the employment:

- interferes with regular duties;
- involves the use of college premises, equipment or supplies;
- involves secondary employment instructing with another post-secondary institution, whether in-person or on-line;
- gives the employee additional compensation for performing their regular college duties; and
- accepting a contract to develop course materials in work with another learning organization.

Employees must disclose to CNA any possible conflict of interest arising from other employment activities.

When in doubt, employees are encouraged to seek guidance from their supervisor or by submitting a COI declaration for more information via PeopleSoft Self-service.

## Volunteering

Employees are encouraged to volunteer in the community. They need to make sure, however, that their volunteer activities don't pose a conflict of interest with their college duties or appear to give the volunteer organization an advantage. The same rules as for 'other employment' also apply to volunteering.

Employees must disclose their involvement in any organization where a conflict of interest may arise and seek advice from their supervisor or Human Resources if in doubt.

*For example:*

- **Applying to sit on the Board of Directors for an organization that receives funding or services from the college where you are employed in a senior capacity.**
- **Lobbying the government on behalf of an organization for changes to a law or policy administered by the CNA.**

## Government Contracts

*For example:*

- **Having a relative bid on a job providing cleaning services to the CNA when you are part of the group reviewing the bids submitted.**

Employees may bid on government contracts as long as they are not in a position to influence decisions about the contract and they have obtained prior written approval from the President's Office.

## Accepting Gifts

*For example:*

- **Accepting a sales representative's invitation to discuss an upcoming public tender over dinner.**
- **Attending an industry event on behalf of the NL government and accepting a gift of an expensive watch from a corporate delegate.**
- **Accepting a bottle of wine from a supplier who is bidding on a procurement contract with which you are involved at the CNA.**

Employees may not accept gifts or benefits beyond what is considered:

- the normal exchange of gifts between friends;
- tokens exchanged as part of protocol; or
- the normal exchange of hospitality between persons doing business together.

The Conflict of Interest Procedure (Section 7.0) outlines rules for accepting gifts. Employees should never be obligated to an individual or organization or give the appearance that giving a public servant a gift will result in favourable treatment.