

Policy Name	<b>Conflict of Interest</b>		
Policy #	<b>704</b>	Category	<b>Human Resources</b>
Policy Sponsor	<b>Associate Vice President, Human Resources</b>	Previous Revision Date	<b>February 8, 2019</b>
Policy Approved by	<b>President &amp; CEO</b>	Revision Date	<b>November 20, 2019</b>
Procedures Approved by	<b>CFO &amp; Vice President, Administrative Services</b>	Review Date	<b>See Policy Review Date or as Needed</b>

See the related [POLICY](#).

## DEFINITIONS

Conflict of Interest:

A situation in which a person, whether for themselves or some other person, attempts to promote a private or personal interest which results, or could appear to result in:

- an interference with the objective exercise of Saskatchewan Polytechnic duties or obligations; or
- a gain, benefit, or advantage of a financial or personal nature, or otherwise, by virtue of his/her official capacity with Saskatchewan Polytechnic.

## PROCEDURES

### 1.0 Recognizing Conflicts of Interest

- 1.1 It is impossible to formulate an exhaustive list of circumstances that may give rise to a conflict of interest; each situation must be judged on its specific facts. The following are some examples that may constitute a conflict of interest:
  - 1.1.1 operating an outside business whether as owner, employee, partner, officer or director in direct competition with Saskatchewan Polytechnic services, or, on Saskatchewan Polytechnic time, which may include telephone calls, use of Saskatchewan Polytechnic facilities, grounds, resources, materials, equipment, mail service, etc. (see Saskatchewan Polytechnic's Appropriate Use of Information Technology Resources policy 801);
  - 1.1.2 using the name of Saskatchewan Polytechnic, Saskatchewan Polytechnic letterhead, and/or Saskatchewan Polytechnic instructional materials when engaging in supplementary professional activities or other outside activities to advance or pursue personal business interests;
  - 1.1.3 securing outside employment that impairs the employee's performance, duty and workload capabilities at Saskatchewan Polytechnic;
  - 1.1.4 divulging confidential or restricted information to any unauthorized person or releasing such information in advance of authorization for its release;

- 1.1.5 acting in any official matter where there is a personal interest that is incompatible with an unbiased exercise of official judgment;
- 1.1.6 placing oneself in a position where there is an obligation to a person or organization who might benefit from improper consideration or favour from the employee, or seek in any way to gain improper treatment from the employee in the discharge of the employee's official duties and responsibilities;
- 1.1.7 being party to a material contract or proposed material contract with Saskatchewan Polytechnic, or being a director/officer of, or having a material interest in, any person who is a party to a material contract or proposed material contract with Saskatchewan Polytechnic;
- 1.1.8 acting on an external board, council, association or any other organization that has a material influence, or might reasonably be expected to have a material influence, on any educational, accreditation or other function of Saskatchewan Polytechnic;
- 1.1.9 placing oneself in a position where working relationships are affected by personal or family relationships;
- 1.1.10 Employees who are direct relatives, employees who share the same household, or employees who have an intimate personal relationship with another employee shall not be employed in situations where:
  - i) a reporting relationship exists where the superior has influence, input, or decision-making power over an employee's performance evaluation, salary, premiums, special permissions, potential for promotion, conditions of work, and similar matters; or
  - ii) the relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on Saskatchewan Polytechnic.
- 1.1.11 Employees who are direct relatives with a Saskatchewan Polytechnic student, employees who share the same household with a Saskatchewan Polytechnic student, employees who share financial interests with a Saskatchewan Polytechnic student, or employees who have an intimate personal relationship with a Saskatchewan Polytechnic student shall not be employed in situations where the employee instructs, supervises, counsels or evaluates that student.

Saskatchewan Polytechnic employees should recognize that engaging in an intimate personal relationship with a Saskatchewan Polytechnic student may constitute or give rise to a subsequent claim that the relationship is or was sexual harassment.

- 1.2 Due to the range and complexity of Saskatchewan Polytechnic activities, these provisions cannot be exhaustive. However; there are four major principles that will assist in the administration of these provisions for topics not specifically covered in policy items 1.2.1 to 1.2.9 and elsewhere in this policy, as follows:

**FIRST.** Openness and full disclosure are paramount. Even the appearance of a conflict of interest is to be avoided. Saskatchewan Polytechnic employees are required to discuss with their out-of-scope manager any actions that have the potential to give rise to a conflict of interest. When private interests are freely and frankly declared, the possibility of conflict is lessened.

- SECOND.** Employees should enjoy the same rights in their private dealings as any other individual, unless it can be demonstrated that a restriction is in Saskatchewan Polytechnic's best interests.
- THIRD.** Saskatchewan Polytechnic does not pay for the same service twice. Employees shall not accept monetary or other payment, in addition to normal salary or expenses, for duties that they perform in the course of their employment with Saskatchewan Polytechnic.
- FOURTH.** Saskatchewan Polytechnic is required to deal with any potential conflict of interest situation discovered even if it is not disclosed.

## **2.0 Duties of Employees**

- 2.1 It is the responsibility of every employee to seek the guidance of his or her out-of-scope manager before engaging in any activity from which a conflict of interest may arise.
- 2.2 If a supervisor or other employee is aware of an existing, or potential, unreported conflict of interest situation, it is his or her responsibility to bring the matter to the attention of the affected employee and the appropriate, immediate out-of-scope manager.
- 2.3 Disclosure of a potential or existing conflict must be made in writing to and approved by the employee's out-of-scope manager (see Appendix A). The approved form should be given to the campus HR office for inclusion in the employee's personnel file. Except as required by judicial process or law, any information disclosed by the employee shall be held in strict confidence and available only to those responsible for review of such matters.
- 2.4 Employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason. For example, and without limitation, employees shall not participate in staffing actions involving direct relatives, persons married to direct relatives or persons living in the same household.

## **3.0 Outside Employment and External Commitments**

- 3.1 Employees will devote their best efforts to Saskatchewan Polytechnic during their defined work hours and will avoid any other commitments that will interfere with this duty.
- 3.2 Subject to policy item 3.4, employees may be employed or have external commitments outside of Saskatchewan Polytechnic provided that such employment does not:
- 3.2.1 cause an actual or apparent conflict of interest;
  - 3.2.2 interfere with regular duties; or
  - 3.2.3 involve the unauthorized use of Saskatchewan Polytechnic premises, equipment, materials or supplies.
- 3.3 In the event it is perceived that a potential or actual conflict of interest exists, employees shall immediately discuss the matter with his or her out-of-scope manager.
- 3.4 Employees shall not accept outside employment in a position having essentially the same duties as their position with Saskatchewan Polytechnic, unless this is covered by an agreement between Saskatchewan Polytechnic and the external agency.

#### **4.0 Employee Interest in Companies Engaged in Business with Saskatchewan Polytechnic**

4.1 Employees shall avoid placing themselves in circumstances of potential conflict of interest connected with the sale of goods, merchandise or services to Saskatchewan Polytechnic by:

- 4.1.1 a private company in which they have an interest as a stakeholder, member, shareholder or director/officer;
- 4.1.2 a public company in which they are a controlling shareholder or director/officer;
- 4.1.3 a partnership or proprietorship in which they have an interest; or
- 4.1.4 a member of their immediate family (spouses and economic dependents).

4.2 In the case of transactions where some doubt exists as to whether an employee may be in conflict of interest, the employee shall disclose to his or her out-of-scope manager, in advance, the connection with that company, firm, partnership or other entity.

#### **5.0 Acceptance of Gifts**

5.1 An employee shall not accept anything more than a nominal gift, favour or service from any individual, organization or corporation doing business with Saskatchewan Polytechnic, other than as follows:

- 5.1.1 normal exchange of gifts between friends;
- 5.1.2 normal exchange of gifts of hospitality between persons doing business together;
- 5.1.3 exchange of gifts as part of protocol; or
- 5.1.4 presentation of gifts to persons participating in public functions.

#### **6.0 Vendor Sponsored Travel**

6.1 Travel expenses reimbursed or paid on behalf of a Saskatchewan Polytechnic employee by a third-party vendor require prior approval of the President or delegate.

6.2 Vendor sponsored travel may be approved in specific situations and in accordance with the criteria set out in the provincial government policy on vendor sponsored travel.

6.3 Employees must complete the Vendor Sponsored Travel Approval form and obtain the necessary approvals as indicated.

#### **7.0 Waiver of Policy by President and CEO**

7.1 This policy may be waived in whole or in part provided that the president and CEO:

- 7.1.1 upon review, finds it essential to do so in order to meet operational needs; and
- 7.1.2 is satisfied that sufficient safeguards are in place to ensure that Saskatchewan Polytechnic's interests are not compromised.



## Appendix A

### Conflict of Interest Disclosure Form

**1. Employee Information:**

Name: \_\_\_\_\_ Sask Polytech ID No.: \_\_\_\_\_

Program/Department: \_\_\_\_\_ Campus: \_\_\_\_\_

Work Phone: \_\_\_\_\_ Home Phone: \_\_\_\_\_

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

**2. Nature of activity being disclosed (attach more detail if required):**

**3. Solution/Remedy to potential conflict (if applicable):**

**4. Approval of immediate out-of-scope manager:**

\_\_\_\_\_  
OOS Manager's Signature

\_\_\_\_\_  
Date

This form will be filed in the Employee's Personnel file at the Human Resource Office.