

**1.0 POLICY**

At MacEwan employees are placed in a position of trust. All employees are expected to ensure that their actions and decisions are conducted in a manner that is reasonable, honest and in the best interest of MacEwan. Conflicts of interest or commitment are to be avoided. In cases where there may be a real or potential conflict of interest or commitment, the employee shall consult with his/her supervisor or appropriate University officer. This obligation to consult shall be fulfilled before any decision or activity is taken by the employee regarding the matter in question.

**2.0 RATIONALE AND GUIDING PRINCIPLES**

**2.1 Purpose**

The purpose of this policy is to clarify MacEwan's position on conflicts of interest and commitment and outline ways to identify and avoid potential conflicts.

**2.2 Rationale and Guiding Principles**

2.2.1 Conflict of interest and conflict of commitment have an adverse effect on MacEwan interests, morale and reputation and also may impact the public interest.

2.2.2 Decision-making related to University affairs or the public interest must be based on valid criteria. Perceptions of conflict of interest and nepotism can be triggered by any decision-making actually or apparently influenced by such things as: the pursuit of personal gain in ways or to ends that are not in the best interests of MacEwan, a familial relationship whether through blood or marriage, a personal or business relationship, or a common bond through an association (examples include: social, political or otherwise).

2.2.3 Work assigned to employees at MacEwan should be carried out to high standard and should not be impaired by outside work or commitments.

**3.0 SCOPE AND DEFINITIONS**

**3.1 Scope**

All employees and contracts are subject to this policy for any decisions, recommendations and actions related to MacEwan interests, and/or the public interest (for matters relating to MacEwan). These include but are not limited to: financial, contractual and employment related matters.

**3.2 Definitions**

3.2.1 **A conflict of interest** occurs when a decision or action is taken, or a recommendation is made for reasons that are not valid, and to a reasonable observer show undue influence of competing interests, favouritism, or bias. (Examples include but are not limited to: the use of MacEwan

resources or information for personal gain; using MacEwan owned materials for teaching at another institution; financial, contractual or employment decisions involving a family member.)

- 3.2.2 A **conflict of commitment** occurs when an employee's activity outside of employment at MacEwan impairs or detracts from the employee's work-related obligations. (Examples include but are not limited to: outside activities scheduled during normal working hours without prior supervisory approval, outside activities that negatively impact an employee's ability to attend and perform their regular functions.)
- 3.2.3 **Administrative staff** means employees designated as executive officers, officers, and administrators as outlined in relevant Board Employment policies.
- 3.2.4 **Executive officer** means the President, vice presidents and equivalent positions.
- 3.2.5 **Family**, for purposes of this policy, shall include a spouse (including common-law spouse as defined in the MacEwan Employee Benefit Program), children, parents, guardian, grandparent, brother, sister and in-laws.
- 3.2.6 **Nepotism** is unfair preferment or favouritism shown to relatives, friends, protégés or those within one's sphere of influence.
- 3.2.7 **Officer** means the President, vice presidents and equivalent positions, deans, directors and equivalent positions.
- 3.2.8 **Supervisors** are those individuals who have been delegated supervisory responsibility for others working at the University.

#### **4.0 REGULATIONS**

- 4.1 MacEwan respects and complies with its obligations under the law and its agreements. Any conflicts between this policy and MacEwan's legal or contractual obligations are resolved with regard to and compliance with MacEwan's legal and contractual obligations.
- 4.2 Employees are responsible to carry out their duties honestly and to the best of their ability. They must ensure that University resources are managed and used effectively, efficiently and for their specified purpose.

***Conflict of Interest and Commitment***

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- 4.3 MacEwan will not employ members of the family of an employee, an employee's spouse, or a Board Member in positions where one member may have the opportunity to influence the terms or conditions of employment of the other.
- 4.4 Any employee who may have a conflict of interest in any activity or decision shall disclose this information in writing to his/her supervisor or next level officer prior to the decision or action being taken.
- 4.5 The supervisor or officer shall make a determination, in consultation with their next level officer, and the officers responsible for human resources, risk management, procurement and/or MacEwan legal counsel as appropriate, whether a conflict of interest exists, and shall respond in writing. The employee shall receive the written response prior to making any decision or taking any action regarding the matter of concern.
- 4.6 Any employee involved in an activity or decision-making process who is in a conflict of interest shall request in writing to his/her supervisor or next level officer that they be removed from the process prior to the decision or action being taken.
- 4.7 The executive officer accountable for university services is responsible for providing executive oversight for matters related to conflict of interest. In the event that the matters under consideration are in any other executive officer's area of responsibility then the appropriate executive officer will be consulted prior to any decision or action being taken.
- 4.8 Administrative staff and supervisors will guide their employees in a manner that complies with this policy. The officers responsible for human resources, risk management, procurement and/or MacEwan legal counsel may also serve as resources.
- 4.9 The officer responsible for human resources is responsible for ensuring that procedures are developed to provide guidance in matters of employment relating to conflicts of interest or commitment.
- 4.10 The officer responsible for risk management is responsible for reviewing any issues of non-compliance per the Fraud and Irregularities Policy.
- 4.11 Responsibility for compliance with MacEwan policies and procedures extends to all members of the MacEwan community. Non-compliance may create risk for MacEwan and will be addressed accordingly.

**FACT SHEET**

**Relevant Dates:**

Approved: 2009.09.10  
Effective: 2009.09.10  
Next Review: 2014.09

**Source:** Modification History:

2009.09.10.....New Policy. (This policy replaces D 1114 Nepotism, D1130 Secondary Employment, and D7105 Conflict of Interest). Approved by Board Motion 02-9-10-2009/10

2009.10.08 Terminology updated to reflect name change to Grant MacEwan University. Approved by Board motion 01-10-8-2009/10

**Accountability:**

Office of Accountability: Vice President University Services  
Office of Administrative Responsibility: Director, Human Resources  
Approval Authority: Board of Governors  
Contact Area: Director, Human Resources, Director, Risk Management or General Counsel  
Authority: Enactment of this policy shall comply with the Alberta Human Rights Act, Freedom of Information and Protection of Privacy Act.

**Reference:**

*Alberta Human Rights Act* <http://www.albertahumanrights.ab.ca/>

*Freedom of Information and Protection of Privacy Act*  
<http://foip.alberta.ca/>

**Related and Associated Matters:**

Associated Policies & Procedures: D1200 Ethical Conduct, D3020 Fraud and Irregularities, D7020 Safe Disclosure

Related Policies: D1100 Respectful Workplace, D3000 Financial Management, D4000 Procurement, D1600 Workforce Planning and Selection