



Employees Code of Conduct Policy

This document is the parent policy for any College procedures or regulations. Questions regarding this policy are to be directed to the identified Policy Administrator.

Policy Statement:

Employees of the College must comply with the highest standards of integrity with respect to their roles as employees of the College.

Sponsor:	Human Resources
Policy Owner:	Executive Director, Human Resources and Health & Safety
Policy Administrator:	Executive Director, Human Resources and Health & Safety
Approved By:	Board of Governors
Approval Date:	November 30, 2018
Effective Date:	March 14, 2019 Published January 14, 2019; Code comes in to force 60 days after it is made public.

Objective:	This Code of Conduct establishes guidelines for Employees of the Northern Lakes College to ensure that each Employee is able to fulfil his or her obligations to the College. As publicly funded institutions, we recognize that the people of Alberta have a right to a public service, which is conducted with impartiality and integrity. It is this special obligation to Albertans that demands that there not be, nor seem to be, any conflict between the private interests of employees and their duty to the public. At the same time, it is recognized that employees should enjoy the same rights in their private dealings as any other citizens, unless it can be demonstrated that a restriction is essential to the public interest.
Guidelines:	<p>1. Compliance</p> <ul style="list-style-type: none"> A. The terms of this Code of Conduct apply to all Employees, Senior Officials, and Designated Senior Officers of the College. B. Employees of Northern Lakes College are required to act in the best interest of the College, and are required to act in a manner reflecting their duties to the College as employees. C. Employees must carry out their duties with impartiality at all times. D. Employees are expected to promote an environment that is free from any form of harassment, discrimination or violence. E. Employees must comply with Applicable Laws and demonstrate a high standard of personal conduct at the college and in other activities related to the college. Employees must comply with Northern Lakes College policies and procedures.

- F. All employees are required to comply with the Code of Conduct, and to disclose to a designated officer a circumstance where they become aware or suspect non-compliance by any employee. If any employee discloses a breach of the code of conduct and after investigation, it is found that the disclosure was vexatious then the employee may be subject to disciplinary action.
- G. Subject to any applicable collective agreement or College regulation, a breach of the Code of Conduct by an Employee may be subject to disciplinary action up to and including dismissal.
- H. Employees employed in an instructional capacity are required to assure the professional standard of conduct.

2. Conflict of Interest

- A. Employees must avoid a Conflict of Interest. Employees must not act in their own self-interest or further their private interests by virtue of their position as an Employee of Northern Lakes College, or through the carrying out their duties as an Employee of the College.
- B. Employees are required to disclose to a designated officer a circumstance where the Employee has either an actual or a perceived Conflict of Interest. If the President has a Conflict of Interest, the designated officer is the Chair of the Board of Governors.
- C. An Employee shall not accept a Gift other than 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.
 - i. The above-mentioned gifts and hospitality shall be of nominal or nil monetary value.
 - ii. Generally, the value of gifts shall not exceed \$100 and must not include cash or cheques.
 - iii. Events attended shall not exceed a value of \$200.
 - iv. Employees shall confirm (in writing) with a higher official at the Dean/Director levels or above whether a gift with a value greater than \$100 accrue to them personally or to the college.
- D. Employees who exercise supervisory, managerial or discretionary control over a family member shall disclose the existence of such relationship to a designated officer, and shall refrain from exercising such control over a family member, unless adequate safeguards have been established in the discretion of a designated officer. A record of such disclosure and safeguards put in place shall be provided to the Senior Officer of Human Resources.
- E. Employees shall not engage in romantic or sexual relationships with other employees of the College in which their position of trust, power or authority could be abused, whether real or perceived. Any relationship

has to be disclosed in writing to the designated officer.

- F. Employees shall not engage in romantic or sexual relationships with any student over whom they have influence or could be perceived to have influence, regardless of consent and the age of the student.
- G. An employee shall disclose in writing to the designated officer immediately if they are accepting supplementary employment and the nature of the employment. Employees may take supplementary employment, including self-employment, unless such employment:
 - i. causes an actual, apparent, or perceived Conflict of Interest;
 - ii. is performed in such a way as to appear to be an official act, or to represent a College opinion or policy;
 - iii. interferes with regular duties or;
 - iv. involves the use of College premises, equipment, or supplies, unless such use is otherwise authorized.

Employees must not allow the performance of their official duties to be influenced by offers of future employment or the anticipation of offers of employment nor may they use their position or College premises or equipment to solicit services as a private consultant.

- H. If a Conflict of Interest or other situation described in section 2(G) arises in taking supplementary employment, it is the discretion of the designated officer to determine whether or not there is a conflict of interest and whether such employment will be prohibited.
- I. Employees should not gain personal financial benefit directly or through a direct associate by use of their position or college information obtained in the course of their employment including:
 - i. obtain an unauthorized material benefit from a transaction between the college and another individual or company;
 - ii. compete against the college by selling, consulting, operating or maintaining any product or service which is offered by the college; and
 - iii. enter into a relationship with a superior or subordinate that may result in personal gain or undue favour in your Northern Lakes College position.

As a Senior Official, the President and CEO of the college, is subject to all the provisions above, as well must not use his or her office or power to influence or seek to influence a decision to be made by or on behalf of the Government of Alberta or Northern Lakes College to further their own private interest or their direct associate's interest.

- J. Any approvals or plans to manage conflicts of interest should be documented and placed in Human Resources and reviewed annually. The designated single point of contact for oversight of this process for employees is the Senior Officer in Human Resources, with any required approvals made by the Senior Leadership Team.

Employees shall send an email the Senior Officer of Human Resources to identify the:

- i. issue or situation
- ii. proposed approach to manage the issue or situation

Employees are required to recuse themselves from decisions in which an actual or apparent/perceived conflict of interest may exist.

3. Confidentiality

- A. Employees shall not disclose Confidential Information to any other person except as authorized by the Designated Officer or as required by a Safe Disclosure policy or by law.
- B. Employees shall take reasonable steps to ensure that College information provided to or received by the Employee (including without limitation Confidential Information) is protected through reasonable data protection precautions.
- C. Employees shall be required to execute a confidentiality agreement in the form attached to this Code of Conduct as Schedule "B".
- D. Employees shall consult with a Designated Officer in the event that the Employee receives any legal process or other documentation requesting the disclosure of any Confidential Information or other College records.
- E. Employees will ensure that they read and understand the Northern Lakes College Freedom of Information and Protection of Privacy Policy and engage in ongoing Freedom of Information and Protection of Privacy training.

4. Collegiality and Conduct

- A. Employees shall conduct themselves in a respectful, ethical, transparent and accountable manner, consistent with their role as an employee of a public post-secondary institution.
- B. Employees shall respect the diversity of the College's students, employees and Board of Governors, and ensure that he or she contributes to an atmosphere of mutual respect, compliance and accommodation.
- C. Employees shall not make statements to any media or in any social media outlet on public issues in any way that may be perceived to represent an official act, opinion or policy of Northern Lakes College unless such Employee has been authorized to do so by the President.
- D. Employees shall refrain from engaging in gossip in written or verbal form or spreading rumors that would damage a member of the college community or the reputation of the college.

- E. Employees shall refrain from any form of bullying in the workplace. Bullying is considered a form of harassment and will not be tolerated.
- F. If an employee is charged with an offence under the *Criminal Code of Canada* or *Controlled Drug and Substances Act (Canada)* arising from their conduct while on or off duty, they shall immediately disclose the charge to their immediate supervisor, or, in the case of President, the Board Chair. Northern Lakes College will act to protect the students, staff and reputation of the College in the circumstances.

5. Procedures

- A. The President has overall administrative responsibility for this Code of Conduct, and decisions with respect to its interpretation.
- B. The Senior Leadership Team may from time to time issue procedures or guidelines with respect to the matters set out in this Code of Conduct to better accomplish its objectives.

6. Political Activity

- A. Senior management will not engage in any political activity at any time while employed by the College. Senior management are prohibited from advertising their political position.
- B. An Employee who wishes to run for federal or provincial office must request a leave of absence without pay commencing on the day after the election is issued or on the day their candidacy is publicly announced. Until a leave of absence commences, employees are prohibited in running for public office during regular work hours.
- C. An employee who is elected to federal or provincial office shall resign effective after being elected. The employee who seeks election and is not elected shall be entitled to return to the same or similar employment, effective the day after the election.
- D. An employee who is a candidate for municipal office shall, if elected, be subject to the provisions of this code regarding supplementary employment section 2(G).

7. Code of Conduct Annual Sign-off

New employees are required to read the Code of Conduct Policy and complete the Employee Acceptance of Code of Conduct Policy Sign-Off form as a condition of employment.

In addition, the Code of Conduct Policy will be circulated annually via email to every College employee. Employees will be requested to review the Code of Conduct Policy and print and complete the Employee Acceptance of Code of Conduct Policy Sign-off form and send to Human Resources for inclusion in their employee file.

Employees are responsible for understanding the Code of Conduct Policy and acting conscientiously to conduct business affairs and operations with integrity, courtesy, impartiality and dignity and in accordance with the standards outlined in the Code of Conduct Policy.

Supervisors are accountable for ensuring that the employees in their area of responsibility are aware of the Code of Conduct Policy and will review the Policy with their employees annually, and for dealing with non-compliance in conjunction with Human Resources.

8. Responding to a Potential Breach

If a real or apparent breach is reported, the employee will be advised in writing. The identity of the individual who reported the breach will be kept confidential, unless required by law.

Human Resources will review the complaint and complete an initial assessment to determine if an investigation is warranted. Where the complaint concerns the President and CEO or a Board Member, the Chair of the Board will complete an initial assessment to determine if an investigation is warranted. Where warranted, an investigation will be initiated, including interviewing the complainant, respondent and any witnesses. Prior to interviewing the respondent, the investigator will inform the respondent of all of the allegations that have been made against them and allow them an opportunity to present their case.

Once an investigation is complete, a written report will be completed. The written report may have facts about the breach found, and whether the employee has breached the Code. The report will also decide what type of breach it is and give any related recommendation or action. A letter containing the decision, an outline of how the complaint will be resolved (if any) and a summary of the findings will be given to the employee under investigation.

The College wishes to clearly convey the importance of protecting the college, its reputation, employees and assets from the consequences of wrongdoings as defined in the *Public Interest Disclosure (Whistleblower Protection) Act* (PIDA). To achieve this, the college is committed to upholding an atmosphere whereby employees can confidentially disclose alleged wrongdoings and alleged violations of this Code and College policies or seek advice about disclosing these matters, without retribution.

Consequences of a breach:

A breach of this policy could include disciplinary action up to and including termination of your employment or relationship with Northern Lakes College.

9. Obligations of the President

The President of the College is designated as a senior official and Designated Senior Official by Order in Council 085/2018. The President must follow all disclosure and return reporting requirements, post-employment and other

restrictions, and the time lines set out for senior officials and Designated Senior Officials under the *Conflicts of Interest Act* RSA 2000, cC-23. The Designated Senior Official obligations do not apply to the current President and CEO until April 4, 2020 (December 15, 2019 for concurrent employment) or when her appointment or contract is extended or renewed, whichever comes earlier.

For additional clarity, as a Designated Senior Official, the President:

Restrictions on Office and Powers

- A. Must fully disclose all real or apparent conflicts of interest to the Ethics Commissioner
- B. Must not take part in a decision, use their office or powers to influence a decision, or communicate information not available to the general public gained through their office or powers, to further their private interests, the family's private interests, or the private interests of any other person
- C. Must not hold any other job or appointment unless approved in writing by the Ethics Commissioner

Financial and Disclosure Requirements

- A. Must not hold publicly traded securities unless:
 - Held in a financial arrangement (e.g. blind trust) approved by the Ethics Commissioner
 - An approval or exemption has been provided in writing by the Ethics Commissioner
- B. Must file a personal disclosure statement and returns for persons directly associated (e.g. spouse) as required by the Ethics Commissioner
- C. Must file an updated disclosure or return within 30 days of any changes to the previous disclosure or returns
- D. Must file a return within 30 days if no longer designated as a designated senior official

Post-Employment Restrictions

For a period of twelve (12) months after the last day the President was considered a designated senior official, they must not:

- A. Lobby any public officer holder
- B. Act on a commercial basis or make representations on any matter they were directly involved in relating to a government department or public agency
- C. Request or accept a contract or benefit from any department or public agency with which they had a direct and significant official dealing
- D. Accept employment or an appointment with an individual, organization or board of directors, with which they had a direct and significant official dealing,
- E. unless a waiver or reduction of the twelve (12) month time period has been approved in writing by the Ethics Commissioner.

Definitions:

Applicable Laws means all federal, provincial, or local laws applicable in the circumstances.

Board of Governors means the Board of Governors of Northern Lakes College.
College means Northern Lakes College.

Confidential Information means documents, reports, legal advice, financial reports, fundraising information, labour relations and employment information, student information, agendas, minutes, briefing notes and related materials, the disclosure of which may prejudice the College or a third party.

Conflict of Interest means a circumstance which may cause an Employee to be placed in a situation where the Employee's other interests or involvements will, or might reasonably be seen to, interfere with the Employee's role as an employee of the College, and includes a situation where:

1. The Employee or the Employee's family may have a direct or indirect financial or other interest in a matter being considered by the Employee;
2. The Employee's personal, financial or other duties aside from his or her duties as an employee of the College may influence the discharge of the Employee's duties to the College;
3. The Employee is unable to impartially make decisions in the best interests of the College due to external considerations;
4. Any other situation or circumstance as determined by the designated officer.

Designated Officer means the President, a Vice President, the Senior Officer of Human Resources, or a Dean. The designated officer for the President means the Chair of the Board of Governors.

Direct associate/directly associated is:

1. Your spouse or adult interdependent partner, or your child
2. A corporation having shared capital and carrying on business or activities for profit or gain and that you are a director or senior officer (president, vice-president, secretary, treasurer) of the corporation
3. A private corporation carrying on business or activities for profit or gain and that you own or are the beneficial owner of shares of the corporation
4. A partnership
 - A. Of which you are a partner, or
 - B. Of which one of the partners is a corporation directly associated with you.

Employee means an employee of Northern Lakes College, including academic staff members, non-academic staff members, exempt and management employees.

Family Member means the spouse, common law partner, child, child-in-law, stepchild, parent, parent-in-law, sibling, sibling-in-law, niece, nephew, aunt or uncle, or a person with whom an Employee is in a romantic relationship.

Gift means a gift or money, personal property, favor or service offered to an Employee arising from or in relation to their employment with the College.

In good faith means taking action based on objective evidence with honest and good intention.

Private Interest is one that benefits you, personally or one directly associated with you. A private interest does not include an interest;

	<ol style="list-style-type: none"> 1. in a matter that is of general application, or 2. that affects a person as one of a broad class of the public, or 3. that affects the compensation or benefits on an employee, or 4. and interest that is trivial <p>Recuse means to withdraw from a position of judgement so as to avoid any semblance of partiality or bias.</p> <p>Workplace Bullying is a repeated pattern of behavior intended to intimidate, offend, degrade or humiliate a particular person or group. Workplace bullying often involves one or more of the following:</p> <ol style="list-style-type: none"> 1. rudeness and hostility that disrespects the person or group 2. threats and intimidation, including the abuse of power 3. deliberate acts that interfere with the person or group’s work <p>Wrongdoing is defined as:</p> <ol style="list-style-type: none"> 1. a contravention of a Provincial or Federal Act or Regulation; 2. an act of omission that creates: <ol style="list-style-type: none"> A. a substantial and specific danger to the life, health or safety of individuals other than a danger that is inherent in the performance of the duties or functions of an employee, or; B. a substantial and specific danger to the environment; 3. gross mismanagement of public funds or a public asset; or 4. knowingly directing or counselling an individual to commit a wrongdoing
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Related Northern Lakes College Documents:	Governance – Safe Disclosure Policy Human Resources – Respectful Workplace Policy External Relations – Media Relations Procedure Human Resources – Respectful Workplace Procedure Information Technology – Acceptable Use of Information Technology Regulation
Related External Information:	Conflicts of Interest Act Freedom of Information and Protection of Privacy Act Post-secondary Learning Act Public Interest Disclosure (Whistleblower Protection) Act
Stakeholders Consulted:	Employee Management Advisory Committee: Oct 23, 2018 Policy Review Committee: Oct 9, 2018
Next Review Date:	November 30, 2021
Revision History:	November 30, 2018: New January 14, 2019: Published March 14, 2019: Effective Date February 25, 2020: New template

Schedule "A"
Employee Acceptance of Code of Conduct Policy Sign-Off

I, _____, by virtue of my appointment as an employee of Northern Lakes College agree that:

1. I will carry out my duties ethically, conscientiously and with due diligence.
2. I will abide by the Employees Code of Conduct, Northern Lakes College policies and procedures, and all federal, provincial and local laws which apply to me in my capacity as an employee of Northern Lakes College.
3. I will treat everyone with respect and consideration.
4. I understand that should I fail in these matters, I will be subject to disciplinary sanction as determined by the College in accordance with the rules which apply to me pursuant to College regulations and collective agreements.

By signing this, I agree that I have read, understand and will comply with the terms outlined in the Employees Code of Conduct Policy.

Signature

Date

Witness Signature

Date

Schedule “B” Confidentiality Agreement

Northern Lakes College (the “College”) protects the confidentiality, privacy and security of student, board, personnel and other confidential or sensitive information which the College receives or creates. Members of the College community are, from time to time, required to collect, use and disclose confidential information. For the purposes of this Agreement, confidential information includes (but is not limited to): (a) information about students, prospective students or employees of the College, including student and prospective student records; (b) personal Information as defined in the *Freedom of Information and Protection of Privacy Act*; (c) personal and employment information about employees, board members, volunteers and contractors of the College; (d) business information including discussions, financial records, employee remuneration records, reports, memoranda, contracts, legal advice, computer programs, technology and drafts of each; (e) information obtained from a third party, including contracts and negotiation documents; and (f) information about College operations, including reports, presentations or survey results.

I WILL:

1. Protect the College’s confidential information.
2. Follow College policies, procedures and other requirements on permitted uses of College e-mail and information technology systems, and on privacy and security, as amended from time to time.
3. Participate in required training on privacy and security of confidential information and seek clarification from my supervisor when in doubt about whether information is confidential.
4. Access only such confidential information that I require in order to perform my duties at the College.
5. Promptly return to the College all confidential information in my possession or control in whatever format when my work or service with the College ends.
6. Employees may not access Confidential Information at the College or remotely without the authorization of their immediate supervisor, and shall not print or store such information outside College premises. Employees should never remove Confidential Information from College property or disclose such information to any other party without the authorization of a Designated Officer. Where such Confidential Information is in electronic or other tangible form (such as on a USB stick, on a laptop computer, or in printed form), the employee shall take all necessary steps to ensure the information is kept secure, and handled in accordance with the College’s policies and procedures.
7. Tell my supervisor if I am aware of a possible breach of this Agreement, or of any release of confidential information.
8. Take all reasonable steps to ensure that my user ID and password remain secret and to avoid disclosure to a third party.

I WILL NOT:

1. Post or discuss any College confidential information on the internet (including any social networking or other websites).
2. Access, show, tell, use, release, e-mail, copy, give, sell, review, change or dispose of the College’s confidential information, unless I am permitted to do so by my supervisor.
3. Use anyone else’s user ID and password to access any College systems without proper authorization.
4. Store confidential information on non-College systems or send confidential information using a personal e-mail account.

I AGREE THAT:

1. The obligations set out in this Agreement are important aspects of my work at the College.
2. My access to confidential information and my use of College systems may be audited or monitored without notice to me.

3. I do not have a reasonable expectation of privacy with respect to matters sent and received by me on College e-mail or information technology systems.
4. The College may remove or limit my access to confidential information, email and information technology systems at any time without notice to me.
5. My obligations of confidentiality apply during the term of my contract with the College and indefinitely thereafter, regardless of the reason for the termination.
6. The terms of this Agreement are in addition to, and not in replacement of, my duties to the College at common law, at equity, or pursuant to a written agreement.
7. My failure to comply with this Agreement will result in disciplinary action or legal action, depending on the circumstances.

By signing this, I agree that I have read, understand and will comply with the terms of this Agreement, which are terms of my contract of employment or service with the College.

Signature

Date

Witness

Date