

CODE OF CONDUCT POLICY

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

Functional Category:	Human Resources
Approval Date:	October 30, 2017*
Effective Date:	*Given the importance of the Code of Conduct, the Board of Governors affirmed this policy on October 30, 2017.
Policy Owner:	October 30, 2017
Policy Administrator:	President and CEO
	Executive Director, Workforce Development and Human Resources

Objective:	<p>NorQuest College (college) expects all members of the college community to engage in ethical behaviour in all aspects of college related activities. All employees are expected to share in preserving and enhancing the college's image and reputation.</p> <p>The college is committed to high standards of conduct. This Code of Conduct Policy establishes expectations and conditions for appropriate conduct of our day-to-day work activities and relationships.</p> <p>The objective is employee conduct of the highest ethical caliber.</p> <p>Authority to establish this policy is derived from the NorQuest College Board of Governor's Policies:</p> <ul style="list-style-type: none"> • No. 5 which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation, and • No. 8 which requires the President and CEO to establish policies and procedures to ensure that college employees comply with the college Code of Conduct.
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Policy:	<p>The college considers it of utmost importance that employees make a conscientious effort to conduct business affairs and operations with integrity, courtesy, impartiality, dignity and in a manner aligned with college values.</p> <p>The college Code of Conduct applies to all members of the college community. (employees, contractors, and board members) This Code is stated in Board Policy No. 8.</p> <p>Expectations Employees are expected to:</p> <ul style="list-style-type: none"> • Demonstrate respect for the dignity and individuality of all persons by: <ul style="list-style-type: none"> ○ promoting an environment that is free of any form of harassment or discrimination, ○ refusing to tolerate verbal or physical abuse or the threat of abuse, ○ refraining from behaviours that interfere with or disrupt the learning, living or work life of others, ○ treating confidential information appropriately, and ○ encouraging others to feel welcome and safe. • Demonstrate a high standard of personal conduct at the college and in other activities related to the college by: <ul style="list-style-type: none"> ○ upholding the law,
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- refraining from behaviour that would bring the college into disrepute,
 - using good judgment and not engaging in inappropriate sexual behavior including but not limited to: sexual violence, or sexual harassment,
 - refraining from inappropriate possession or consumption, or functioning under the influence of any intoxicating substance,
 - being reliable in my commitment to participate in work, study and related activities,
 - refraining from the use of a position of trust to receive special benefits or consideration, financial or material gain for myself or others,
 - appropriately using any real or perceived position of authority,
 - consistently practicing honesty in my academic or work life, and
 - supporting an atmosphere that encourages the respectful exchange and examination of diverse ideas in order to further the development of our learning environment.
- Respect college assets and the property of others by working to create an environment that treats these assets with respect and does not condone:
 - theft, vandalism or damage of property,
 - unauthorized use or entry to any space or property, and
 - violation of civil or criminal statutes.
 - Practice integrity by supporting others in adherence to the college Code of Conduct by:
 - recognizing how this policy is connected with a number of more in-depth college policies, procedures and provincial and federal legislation, and
 - taking responsibility for learning how related legislation, policies and procedures apply to my situation.

NorQuest College expects employees to:

- conduct work relations openly, honestly and with respect and professionalism,
- provide quality service to students, internal and external stakeholders, customers and clients,
- ensure integrity and impartiality in decision making,
- safeguard the property and assets of the college,
- adhere to college policies and procedures.

Clarification of the Code for select topics is provided below:

Personal Conduct and Conflict of Interest

A conflict of interest arises in any situation where an employee's obligation to serve the best interest of the college could be affected by other motivation for the employee, such as self-interest, obligation or objective. Employees must avoid situations where personal interests conflict or are perceived to conflict with the interests of the college.

Employees are required to declare to a higher college official (someone at the Dean, Director, Executive Director, Vice President or President and CEO level) any actual or potential conflict of interest as described below. Deans and Directors so informed must make their Vice President aware. Executive Director and Vice President's so informed must make the President and CEO aware. If a conflict of interest pertains to the President and CEO then the

Board of Governors Human Resources Committee or external third-party (per the Safe Disclosure Policy) should be made aware.

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

Conflict of interest, includes but is not limited to:

- a situation in which a person has a private, familial or personal interest that is sufficient to appear to influence the objective exercise of their professional duties, and
- a situation where there is the potential for the personal and/or financial considerations of a person to be at odds with their public position.

Conflicts of interest occur when the interest of the member and the interests of the college are in conflict. Some examples include, but are not limited to, when members:

- accept material or financial benefit from a non-college organization for favouring or promoting that organization by virtue of their college position,
- undertake to influence college business to benefit personal interests or the interests of a family member or friend, i.e. in hiring decisions, awarding contracts, etc.,
- accept an executive appointment, employment or shares in any non-college organization which might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their college appointments,
- accept without written authorization, a research grant or contract from any organization from which they receive, or may subsequently receive, direct or indirect benefits as an executive officer or major shareholder,
- undertake to direct, manage or participate in any non-college activities where such activity would conflict with the full-time employment effort they would otherwise be expected to dedicate to college activities, and
- employ their students in any commercial venture related to the students study or research, or proceed to commercialize the results of the students' work, where such activities would infringe on the students' rights to complete the program of study for which they are registered and to publicize freely their findings.

Employees should not gain personal financial benefit directly or indirectly (through a spouse, partner, child, relative or associate) by use of their position or college information obtained in the course of their employment including:

- participates in any outside activity which detracts from the employee's ability to perform work related duties with NorQuest college,
- obtains an unauthorized material benefit from a transaction between the college and another individual or company,
- competes against the college by selling, consulting, operating or maintaining any product or service which is offered by the college,
- enters into a relationship with a superior or subordinate that may result in personal gain or undue favour to the employee in the workplace, and
- accepts a position as a member of a Board of Directors or an Officer of a competitor of the college unless approved by the an Executive Member or in the case of the President and CEO then the Board of Governors Human Resources Committee.

Other Outside Involvement

The College supports employees being involved in community based work where the employee will grow personally and/or professionally and/or where the college will benefit from such involvement. This includes volunteer work, board work (volunteer or paid) or committee involvement.

If an appearance before a Committee, Council, Board, Commission, Organization, Association or any other agency could result in adverse consequences for the college, or represent a conflict of interest between the interests represented by the employee and the interests of the college, the employee must not participate.

Employees may however, exercise their rights as a citizen so long as it is clear that they are representing themselves as a private citizen and in no way represent the interests of the college.

Secondary Employment(includes but not limited to Continuing Education Agreements or Paid Board Activity)

Employees may participate in secondary employment except where the secondary employment:

- interferes with the employee's duties, availability or performance to the college's requirements,
- involves business relations, or other outside employment duties during any portion of the employee's regular working hours with NorQuest College,
- has the employee gaining any personal benefit or acting in any capacity for a supplier, contractor, customer, or any other entity with which the college does business,
- creates or appears to create ethical or legal conflict of interests.

For exceptions to these types of situations, employees are required to declare and obtain approval from a higher college official. Where approval is given, the employer may request the use of professional development or unpaid leave or vacation time to pursue these opportunities. The employee may choose to donate their proceeds or honorarium back to the college.

Disclosure - [Conflict of Interest Disclosure Form](#)

Not every possible conflict of interest is outlined here. However, if an employee finds him or herself in a situation where a conflict of interest exists or may be perceived to exist, full disclosure of the circumstances to the college provides an opportunity to deal with the issue before difficulties arise. To eliminate or address an existing or potential conflict of interest, an employee should contact their Dean/Director/VP/President or Executive Director of WDHR as appropriate. In the case of the President & CEO, he/she shall contact the Board of Governors Human Resources Committee.

The college expects its employees to disclose immediately on discovery, and to resolve subsequently with the college, any actual or potential conflicts of interest arising from activities with which they are engaged.

Confidential and Personal Information

- All information and intellectual property created in the course of college business is the exclusive property of the college. All college information is confidential unless business practice requires disclosure to the public or to selected parties.
- All intellectual property including but not limited to specialized tools, technical programming and work methods are the property of the college (per Section 68 of the *Post-secondary Learning Act*).
- Confidential information may take a variety of forms-verbal or written, computer data, disk, paper document, files, records, photos or film. Employees shall not use, copy or disclose confidential information for personal gain or advantage. Unauthorized disclosure includes revealing information about the college's plans/strategies, employees, students, suppliers, computer software and programs.
- Employees may disclose confidential information or personal information as defined in the *Freedom of Information and Protection of Privacy Act* (FOIP) only for the purpose of conducting college business, where required, and under the management of the Divisional Head of the Business Unit and the Manager of the Business Unit where the information was created.
- Employees have a duty to safeguard confidential, proprietary, or personal (as defined by FOIP) information. It is expected that the material will be protected in a manner that is appropriate to the sensitivity of that material. It is each employee's responsibility to take proper measures to safeguard college information, including information stored in the employee's personal files, and or on their personal or home computer.

Company Property

The employee shall at all times safeguard and protect college property and assets to a reasonable standard.

Payment to Consultants, Agents and Others

All payments to consultants, agents, contractors and others shall be paid in accordance with proper business practices and based upon reasonable value for the service performed. Payments shall be supported by adequate documentation.

Gifts & Other Payments

- Employees must not accept or grant any gift, perk, benefit, or other favour which may be intended or perceived as being provided in exchange for a favour or advantage to a third party carrying on business with the college.
- The provision of gifts to third parties is subject to the limitations specified in the Hosting Procedure.
- Where approved business practices allow, employees whose duties permit them to do so, may accept modest gifts or tokens with a value less than \$100 from customers, students, employees or business associates. Employees should confirm (in writing) with a higher official at the Dean/Director level or above whether a gift with a value greater than \$100 accrue to them personally or to the college.
- Any monies received by an employee while representing the college at an external function such as a Conference or Symposium should be disclosed to their immediate supervisor and channeled to the college via the finance function.

Working While Absent Due to Illness or Injury

Employees who are absent from work due to illness and or injury must not

Definitions:

engage in outside employment without specific written authorization from a physician and consent from the Senior Manager, Human Services.

Employee: includes a person who is engaged by NorQuest College to perform a service in accordance with existing terms and conditions of employment, employment contracts or collective agreements.

Harassment: any single incident or repeated incidents of objectionable or unwelcome conduct, comment, bullying or action by a person that the person knows or ought reasonably to know will or would cause offence or humiliation to a worker, or adversely affects the worker's health and safety, and includes (i) conduct, comment, bullying or action because of race, religious beliefs, colour, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression and sexual orientation, and (ii) a sexual solicitation or advance, but excludes any reasonable conduct of an employer or supervisor in respect of the management of workers or a work site.

Recuse: to withdraw from a position of judging so as to avoid any semblance of partiality or bias.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature. Incidents of sexual harassment include, but are not limited to, situations in which:

- Such conduct has the purpose or effect of interfering with a student's academic performance or an employee's work performance, or creating an intimidating, hostile, or offensive learning or working environment;
- Submission to such conduct is made either explicitly or implicitly a term or condition of employment, or of the teaching and learning process; or;
- Submission to or rejection of such conduct is used in employment or academic decisions affecting that employee or student.

Examples of sexual harassment include, but are not limited to, comments or conduct of a sexual nature, such as leering, "dirty" jokes, gestures, pictures, pornographic materials, comments, suggestions, innuendos, requests or demands of a sexual nature. It can occur through the use of technology as well as in person. The behaviour need not be intentional in order to be considered sexual harassment.

Sexual Violence: A broad term that describes any violence, physical or psychological, carried out through sexual means or by targeting sexuality. This violence takes different forms including sexual abuse, stalking, sexual harassment and sexual assault.

Related Information:

- [Academic Misconduct Procedure](#)
- [Conflict of Interest Disclosure Form](#)
- [Non-Academic Misconduct Procedure](#)
- [Respectful Workplace and Learning Environment Policy](#)
- [Safe Disclosure Policy](#)
- [Safe Disclosure Procedure](#)
- [Sexual Violence Policy](#)

Related Procedures:

- [Code of Conduct Acknowledgement Procedure](#)
- [Legislative Compliance Reporting Procedure](#)

Next Review Date:
Revision History:

- [Protecting College Information When Working Off Campus Procedure](#)
- [Sexual Violence Procedure – Student](#)
- [Sexual Violence Procedure - Employee](#)

February 2021

March 2013 : replaces Standard Practice 7.21: Code of Ethics
August 2013: update for document links and branding
November 2014: update for change in policy owner and document links
June 2015: update document links
July 2015: update document standards, document links and next review date
June 2016: update document links
October 2017: updated
May 2018: Added Bill 30 Harassment definition, updated Policy/Procedure name and link
December 2018: update document links