

COMMUNITY LIVING

Thunder Bay



Number: HR 5.0
Date: June 16, 2009
Supersedes: May 1, 2003

GENERAL MANUAL POLICY

APPROVED BY:

K. G. Pickard
Executive Director

CATEGORY: Human Resources

TOPIC: Conflict of Interest

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POLICY

It is the employees', volunteer's or board member's responsibility to identify and disclose all potential, actual or perceived conflicts of interest regardless of whether or not the employee, volunteer or board member derives benefit from the conflict. Conflicts may include, but are not limited to the following:

Acceptance of Favours: an employee, volunteer or board member shall not demand, accept, agree to accept or offer, directly or indirectly, gifts, discounts, loans, services, or benefits from a person or corporation having dealings with the Association.

Entertainment and/or gifts of a nominal value (\$100) may be received or given to employees on occasion but they must always be of such form and substance that they could not be construed by an impartial observer as a bribe, pay off or improper incentive.

All gifts and entertainment must be divulged to an employee's supervisor and/or the Executive Director.

Financial Interests: if an employee, volunteer or board member directly or indirectly owns, is beneficially entitled to or has an interest in any land, building, leases, mortgage, goods, services, or contract which is offered for option, sale, lease, or assignment to the Association and/or persons receiving direct service from the Association, the employee, volunteer, or board member shall disclose the situation to the Executive Director.

Outside Activities: whenever an employee, volunteer or board member considers that he/she could be in a position of conflict with the interest of the Association, he/she shall disclose the situation to the Executive Director.

Public Appearances: an employee, volunteer, or board member shall not accept any fee for taking part in a public speaking engagement or a public radio/television performance to which he/she was invited as a direct result of: His/her position as an employee, volunteer, or board member; his/her field of knowledge derived from his/her employment with the Association.

Employment practices: an employee, volunteer, or board member shall declare a conflict in any discussions, or recruitment and employment practices regarding an immediate family member.



GENERAL MANUAL PROCEDURE

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PROCEDURE

EMPLOYEE

When an employee is faced with a situation involving an existing, potential or perceived conflict of interest, the following process shall be utilized:

1. The employee is to inform his/her immediate supervisor in writing.
2. The supervisor in consultation with the Human Resource Director may determine that:
 - a) no conflict exists; or
 - b) a conflict of interest does/may exist and will either:
 1. enter a written agreement with the employee; or
 2. refer the situation to the Executive Director to resolve, or in the case of a potential conflict of interest involving the Executive Director, to the President of the Board of Directors.

In all cases, the report or agreement is to become part of the employee's personnel file.

BOARD MEMBER

When a board member is faced with a situation involving an existing, potential or perceived conflict of interest, the following process shall be utilized:

1. The board member is to inform the President of the Board in writing.
2. The President of the Board in consultation with the Executive Director may determine that:
 - a) no conflict exists; or
 - b) a conflict of interest does exist and will either resolve it or enter into a written agreement with the board member.

GENERAL RECRUITMENT AND EMPLOYMENT

In accordance with Ontario Human Rights Code, section 5(1), Community Living Thunder Bay will not discriminate in its hiring practices on the basis that the person is related to a current or former employee.

To ensure that family or marital relationships do not influence judgment on the quality of work or decisions in hiring, promotion, or dismissal, and in the interest of fair recruitment and employment practices, Community Living Thunder Bay adheres to the following:

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1. Application from immediate family members of individuals in the following positions shall not be considered for staffing purposes with Community Living Thunder Bay:
 - Executive Director
 - Positions that report directly to the Executive Director
 - Positions in the Human Resources Department

These restrictions will remain in effect for a twelve-month period following the conclusion of the above-named individual's employment with the Association.

Applications from individuals we serve or non-immediate family members will be considered; above noted employees must declare a conflict of interest as soon as the conflict is known.

2. Members of the same immediate family will not work for the same program.
3. An employee will not be directly supervised by an immediate or non-immediate family member.

It is the responsibility of the employee to notify the Human Resources Director, in writing, of any conflict as soon as the conflict is perceived or known. Staff of the Human Resources Department will make appropriate inquiries in order to assist in avoiding a conflict that an employee may not be aware of.

The Human Resources Director will make recommendations to the appropriate personnel and/or prepare for employee transfers as required.

The report or agreement is to become part of the employee's personnel file and/or part of the hiring file.

DEFINITIONS FOR THE PURPOSES OF THE POLICY ARE AS FOLLOWS:

IMMEDIATE FAMILY MEMBER:

Immediate family member is defined as: mother, father, step-mother, step-father, foster parent, sister, brother, spouse (including common-law spouse), fiancé, child (including child of common-law spouse), step-child, ward, grandparent, grandchild, mother-in-law, father-in-law, spouse's grandparent, brother-in-law, sister-in-law, and any relative with whom the person permanently resides.

NON-IMMEDIATE FAMILY MEMBER:

Non-immediate family member is any relative not listed above.