

STATEMENT of POLICY and PROCEDURE			
Chapter:	Human Resources	SPP No.	HR 2.13.ON
Section:	Employment	Issued:	Nov. 15, 2019
Subject:	CONFLICTS of INTEREST	Effective:	Jan. 1, 2020
Issue to:	All Manual Holders	Page:	1 of 4
		Replaces:	HR-01
Issued by:	Community Resource Centre	Issued:	Feb 2017

1 POLICY

- 1.01 (a) An employee shall refrain from all Conflicts of Interest. If an employee becomes aware of, or becomes involved in, a Conflict of Interest, he or she shall immediately disclose such Conflict of Interest to the **Executive Director**. An employee must also disclose what could be “perceived” by an outsider as a Conflict of Interest. An employee cannot avoid the disclosure requirements because the employee feels that he or she was not, is not, or will not be influenced by the Conflict of Interest. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions such as purchases, contracts, or leases, it is imperative that the employee disclose to the **Executive Director** as soon as possible the existence of any actual or potential Conflict of Interest so that safeguards can be established to protect all parties.
- (b) An employee who is unsure whether something constitutes a Conflict of Interest shall immediately discuss the specific concern with the **Executive Director** in order to determine the **Community Resource Centre's** position on the issue.
- (c) The **Executive Director** will determine whether:
- (i) a Conflict of Interest exists;
 - (ii) the seriousness of the potential or actual Conflict of Interest;
 - (iii) what steps are necessary to protect the **Community Resource Centre** against the Conflict of Interest.
- In making this determination, the **Executive Director** shall be guided by any other policies which may apply. Additionally, the **Executive Director** may consult legal counsel if the Conflict of Interest involves an issue of legal sensitivity.
- (d) With regard to paragraph 1.01(c)(iii), the **Executive Director** may, depending on the circumstances, institute one or more of the following steps:
- (i) establish internal safeguards to protect the organization from any Conflict of Interest;
 - (ii) require that the employee cease to be involved in the situation giving rise to the Conflict of Interest;
 - (iii) remove the employee from a position of influence over the organization with respect to matters which give rise to the Conflict of Interest — e.g. if the conflict involves a relative's bid to provide services to the **Community Resource Centre**, the employee may be precluded in participating in the decision-making process with respect to the bid;
 - (iv) require that the employee re-pay any benefit he or she has received as a result of the Conflict of Interest;
 - (v) discipline the employee, up to and including termination for cause, for being involved in the Conflict of Interest. In determining the nature of such discipline, the **Executive Director** shall consider:
 - the employee's disclosure of the existence of the Conflict of

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Interest, if such disclosure was made;

- whether any such disclosure was made promptly;
 - the severity of the Conflict of Interest;
 - whether the Conflict of Interest involved any kind of dishonesty;
 - whether the **Community Resource Centre** was actually harmed by reason of the Conflict of Interest;
 - the employee's past record for honesty;
 - what harm could have resulted to the **Community Resource Centre** as a result of the Conflict of Interest;
 - whether or not such harm, if any, can be repaired in any way; and
 - whether disciplinary steps, short of termination, are adequate to deal with the infraction.
- (vi) take any other action deemed advisable by the **Executive Director** in the circumstances.

1.02 An employee who becomes aware of a Conflict of Interest or a potential Conflict of Interest and fails to immediately report that conflict is subject to discipline. Depending on the severity of the conflict or potential conflict, an employee who fails to report a Conflict of Interest may also be terminated for "cause" without notice or compensation in lieu thereof.

2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to communicate the **Community Resource Centre's** position on what matters could constitute a Conflict of Interest to employees and to establish a protocol for disclosing and dealing with such Conflicts of Interest.

3 SCOPE

3.01 This Statement of Policy and Procedures applies to all employees.

4 RESPONSIBILITY

4.01 All employees are responsible for reading and understanding the Conflict of Interest policy and immediately disclosing to the **Executive Director** any Conflicts of Interest which may occur within twenty-four (24) hours of having knowledge of same.

4.02 (a) the **Executive Director** is responsible for determining what, if any, further steps

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or actions should be taken regarding any disclosure received.

5 DEFINITIONS

- 5.01 **“Conflict of interest”** refers to a situation where an employee’s personal relationship(s) or financial interest(s) could reasonably be seen as influencing the employee’s duty to act in the best interests of the **Community Resource Centre**. Such Conflicts of Interest include but are not limited to:
- (a) holding shares in a corporation which seeks to do business with the **Community Resource Centre**, except where the corporation and the employee holds shares which are worth less than **[1%]** of the issued shares in a publicly-traded corporation;
 - (b) being a relative of an individual who is employed by or involved with a business which seeks to do business with the **Community Resource Centre** or does business with the **Community Resource Centre**;
 - (c) being involved with or investing in a business which is competitive to the business conducted by the **Community Resource Centre**;
 - (d) being retained by another company or organization, whether on a consultancy or part-time basis, to advise on business similar to that which is being transacted by the **Community Resource Centre**;
 - (e) accepting “kickbacks” or “bribes”;
 - (h) being investigated, charged, indicted or convicted for a criminal activity that may have an impact on the perception of the individual’s business conduct and which, if publicly known, might affect the reputation of the **Community Resource Centre** as an organization that maintains high ethical standards.

6 REFERENCES and RELATED STATEMENTS of POLICY and PROCEDURE

SPP HR 5.06 ON — Discipline

7 PROCEDURE

- 7.01 Any employee who suspects or believes that he or she is involved in or may become involved in a Conflict of Interest must immediately disclose such Conflict of Interest fully and accurately to the **Executive Director**.
- 7.02 The **Executive Director** shall investigate the disclosure and seek legal counsel, if appropriate, regarding what steps should be taken as a result of the conflict of interest.

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- 7.03 A copy of this policy shall be provided to each employee on his or her first day of employment with the **Community Resource Centre** and periodically thereafter as deemed necessary by the **Executive Director**.