

Policy Title:	Conflict of Interest and Conflict of Commitment		
Category:	<input type="checkbox"/> Institutional - Board	<input type="checkbox"/> Academic - Administrative	
	<input checked="" type="checkbox"/> Institutional - Administrative	<input type="checkbox"/> Employment - Administrative	
Approved by:	<input type="checkbox"/> Board	<input checked="" type="checkbox"/> President	
Date approved:	August 31, 2017	Effective date:	August 31, 2017
Policy Sponsor:	Vice President, Administration & Finance and Vice President, Academic (co-sponsors)	Date last reviewed:	January 2019
Date of Mandatory Review (expiry date)	August 2024	Date of last revision of Procedures	January 2019

1 POLICY

1. Employees are expected to vigilantly guard against potential, actual, apparent and the appearance of conflicts of interest and conflicts of commitment, and to disclose and address any conflicts promptly.
2. No employee shall participate in any CMCC decision that directly, indirectly and preferentially benefits the employee, or a person with whom the employee has a relationship.
3. No employee shall participate in any CMCC academic decision directly affecting a person from whom they stand to derive a financial or personal benefit or with whom the employee has a relationship.
4. Employees must disclose to their supervisor any relationship with a CMCC student or employee which may compromise or be perceived to compromise their role. Disclosure is required before an employee:
 - a. teaches, supervises or evaluates a student or employee with whom the employee has a direct or indirect relationship
 - b. shares a financial interest with a CMCC student(s) or employee(s)
 - c. acts as a researcher, employer (including a future financial relationship within a professional environment such as an associate), consultant or advisor for a student(s) or employee(s) in connection with any activities unrelated to the student's academic program or the employee's employment with CMCC.
5. Employees in the circumstances set out in 4. above shall not participate in instruction, supervision, evaluation, or advisement of student(s) or employees(s) unless such activity, subject to any appropriate conditions, has been approved in advance by the appropriate Vice President.
6. An employee shall not knowingly authorize the purchase of equipment, supplies, services or real property using CMCC funds or funds administered by CMCC from a source with which the employee, or any person with whom the employee has a relationship, has a

material financial interest, or engage any individual with whom the employee has a relationship in any capacity paid for by CMCC funds or by funds administered by CMCC unless authorized in writing by the appropriate Vice President.

7. Employees should recognize that an intimate personal relationship with their students or other employees is inappropriate and may constitute or give rise to a subsequent claim that the relationship constituted sexual harassment. Any relationship between an employee and student is strictly prohibited by CMCC and/or contrary to professional statutory responsibility.
8. An employee may not supervise any other employee with whom they have a personal relationship. Any relationship between employees where there is a potential for an actual or perceived conflict of interest must immediately be disclosed to the appropriate Vice President, following which circumstances shall be reviewed and may result in a reassignment of duties.
9. Professional activities that demonstrate an actual or perceived conflict of commitment to CMCC, on both a remunerative and non-remunerative basis, must not interfere with or prevent the due discharge of duties, obligations, and responsibilities to CMCC, and are subject to the following conditions:
 - a. If an employee's outside activities involve any use of CMCC's facilities, supplies and/or services, their use shall be subject to prior approval by CMCC. The cost for such facilities, supplies or services shall be borne by the employee at prevailing rates as established from time to time by CMCC.
 - b. CMCC's approval as set out above shall not signify that such activities in any way constitute part of an employee's obligations under their employment with CMCC, nor that CMCC supports, condones, or is in any way affiliated with such activities.
 - c. If an employee is considering an external activity which has the potential to interfere with their duties and responsibilities, they must disclose the details of the activity in writing and seek prior approval to undertake them.

2 PURPOSE

To identify and address potential, actual, apparent and the appearance of conflicts of interest and conflicts of commitment and, to provide procedures whereby conflicts are disclosed and avoided or appropriately managed.

3 SCOPE

All employees.

4 INFORMATION AND COMPLIANCE PLANS (not a comprehensive list)

- Council on Chiropractic Canada (CCEC) Standards for Doctor of Chiropractic Programmes - Section III Criteria for Accreditation: Policies and Procedures, Standard C, 11.b. (Integrity)

5 RELATED POLICIES (not a comprehensive list)

- Code of Conduct - Employees

6 DEFINITIONS

Conflict of Commitment is the exercise of professional expertise outside of an employee's responsibilities and time commitments to CMCC, which may be on either a remunerative or non-remunerative basis, that interferes with or prevents the due discharge of duties, obligations, and responsibilities to CMCC.

Conflict of Interest definitions:

- a. An actual or perceived conflict of interest arises where an employee's financial or other personal interest, or that of any person with whom the employee has or has had a relationship, conflicts or appears to conflict with the employee's responsibility to CMCC or may result in financial gain or other benefits flowing directly or indirectly to the employee.
- b. An actual or perceived conflict of interest also includes a business or intimate personal relationship between an employee and a student or between employees which may compromise, interfere with, or be perceived to compromise an employee's responsibility to fulfill their role and responsibilities in a fair and objective manner.

A relationship means any tie an employee may have to persons that, by nature of their personal or professional acquaintance at the relevant time or during the preceding three years may, or be perceived to, result in preferential treatment or access.

New Policy Approved (date):

July 2008

Policy Revision History (dates):

August 31, 2017

-----**END OF POLICY**-----

7 PROCEDURES

1. An employee, subject to 2. below, who has any direct or indirect interest in any commercial contract, transaction, proposed contract or proposed transaction under consideration by CMCC and participates in any decision related to these matters shall:
 - a. declare to the appropriate Vice President the nature and extent of the interest as soon as the employee reasonably ought to have known of the conflict and no later than the meeting(s) at which the matter is to be considered

- b. withdraw from the meeting where the matter is being discussed
 - c. refrain from taking part in any other discussion of the matter
 - d. refrain from voting or influencing the vote on the matter.
2. Following receipt of disclosure provided for the above, and after consultation with the employee, the appropriate Vice President shall determine, based on the nature of the disclosed conflict and the criteria above whether an actual or potential conflict exists and, if so, decide how it may be resolved. The Vice President shall notify the employee in writing of the decision on the matter as soon as reasonably possible.
3. If an employee is considering an external activity which has the potential to interfere with their duties and responsibilities, they must disclose the details of the activity in writing and seek approval to undertake such activity in accordance with the steps set out below. The disclosure shall be in writing to the appropriate Vice President and shall include, but not be limited to:
 - a. a description of the nature of the activity
 - b. an estimate of the time required to perform the activity
 - c. an estimate of the extent, if any, of the use of CMCC facilities, supplies, employees or students
 - d. full disclosure of any other external activities that have already been approved and which are continuing
 - e. an estimate of the impact such activity will have on the employee's responsibilities and workload at CMCC including but not limited to, teaching, research, and service responsibilities
 - f. full disclosure, in writing, of any external compensation to be realized for such activity, especially as it relates to any overlap of time commitment and duties normally a part of the employee's scheduled or assigned time and responsibilities.
4. Recognizing that such professional activities may bring benefits to, and enhance the reputation of CMCC and the employee, the appropriate Vice President will evaluate the request to determine to what extent the activity will benefit and enhance CMCC's reputation, operations, and image and balance that against the possible impact on the fulfilment of the regularly assigned duties and responsibilities of the employee or CMCC in general.
5. A written decision will be sent to the employee within 14 calendar days of receipt of the request. If approval is denied or offered only on conditions, the employee shall be provided with reasons for the decision in writing.
6. If the requested activity would negatively impact on the fulfilment of the employee's duties and responsibilities or CMCC in general, the appropriate Vice President may require, as a condition of granting approval, that the employee reduce their workload and

responsibilities for the duration of the outside activity. This would result in a corresponding reduction in compensation. The alternative is for the employee to request a Leave of Absence without pay or to utilize any accrued vacation.

7. If there is remuneration from an activity funded by sources other than CMCC that arises from these activities the following options are available:
 - a. continue to be paid through CMCC payroll and reimburse CMCC any monies received for this activity directly by cheque or through accounting and payroll arrangements
 - b. request a Leave of Absence without pay or vacation for the period of the activity.
8. All information or reports disclosed in accordance with this process will remain confidential in the employee's file in Human Resources, but shall not prohibit CMCC from using such information in a generic fashion after ensuring that there shall be no dissemination of specific information that may denote any specific individual.

New Procedure Approved (date):

July 2008

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January 2019

8 ATTACHMENTS

None