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## STANDARDS OF CONDUCT FOR EMPLOYEES

### - POLICY -

This document contains an outline of the standards of conduct required of all employees in the school district. Employees should read this document and, if necessary, seek clarification in order to avoid placing themselves in conflict with the standards. These standards protect employees. The Board of Education believes that the highest standards of conduct among its employees are essential to maintain and enhance the public's trust and confidence in the public school system.

### - REGULATION -

Employees should contact their supervisor for advice and assistance if they have any questions about the interpretation or application of this document.

#### **Loyalty**

Employees have a duty of loyalty to the Board of Education as their employer. The duty of loyalty requires employees, irrespective of political preferences or affiliations, to serve the employer to the best of their ability. The honesty and integrity of the school system demands that the impartiality of employees, in the conduct of their duties, be above suspicion. Employees' conduct should instill confidence and trust and must not bring the school system into disrepute.

#### **Confidentiality**

Confidential information that employees receive through their employment must not be divulged to anyone other than persons who are authorized to receive the information. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing it. Caution and discretion in handling confidential information extends to disclosure made inside and outside of the workplace and continues to apply after the employment relationship ceases. Confidential information that employees receive through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains. See the Conflicts of Interest section of this document for details.

#### **Public Comments**

School system employees are free to comment on public issues but must exercise caution to ensure, that by doing so, they do not jeopardize the perception of impartiality in the

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performance of their duties. For this reason, care should be taken in making comments or entering into public debate regarding Board policies or decisions.

**Political Activity**

School system employees are free to participate in political activities including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment. If engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities. Employees must not engage in political activities or use school district facilities, equipment or resources in support of these activities during working hours, with the exception of bulletin boards in staff rooms.

**Service to the Public**

School system employees must provide service to the public in a manner that is courteous and professional. Employees must be sensitive and responsive to the changing needs, expectations and rights of a diverse public while respecting the legislative framework within which service to the public is provided.

**Workplace Behaviour**

The conduct and language of school system employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of the school system. Employees are to treat each other in the workplace with respect and dignity. Employees' conduct will be free of discrimination or harassment based on any of the prohibited grounds covered by the Human Rights Code. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment. Employees and supervisors should refer to Section 5 of the Policy Manual, Health, Safety and Environment, and to their contracts of employment or relevant collective agreement provisions for additional information on workplace behaviour.

**Conflicts of Interest**

A conflict of interest occurs when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:

- the employee's ability to act in the public interest could be impaired; or
- the employee's actions or conduct could undermine or compromise:
  - the public's confidence in the employee's ability to discharge work responsibilities, or
  - the trust that the public places in the school system.

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While the school district recognizes the right of its employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their employment duties. Upon appointment to the school district, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising. Employees with questions regarding interpretation of the policy may discuss them with the Superintendent of Schools. Employees who find themselves in an actual, perceived or potential conflict of interest must disclose the matter to their supervisor, or the Superintendent of Schools. Employees who fail to disclose may be subject to disciplinary action up to and including dismissal.

Examples of conflicts of interest include, but are not limited to, the following:

- an employee uses school district property or the employee's position, office or school district affiliation to pursue personal interests;
- an employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- an employee, in the performance of official duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- an employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee's employment;
- an employee benefits from, or is reasonably perceived by the public to have benefited from, a school district transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, discretionary approvals, appointments);
- an employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their employment in the school system, other than:
  - the exchange of hospitality between persons doing business together,
  - tokens exchanged as part of protocol,
  - the normal presentation of gifts to persons participating in public functions, or
  - the normal exchange of gifts between friends.
- an employee solicits or accepts gifts, donations or free services for work-related leisure activities other than in situations outlined above.

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**Allegations of Wrongdoing**

Employees have a duty to report any situation that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the Freedom of Information and Protection of Privacy Act). Employees will not be subject to discipline or reprisal for bringing forward to the Superintendent of Schools, in good faith, allegations of wrongdoing in accordance with this document. Employees must report their allegations or concerns as follows:

- VINTA members should consider if the BCTF code of ethics is applicable;
- CUPE members should consult with their Local President;
- other employees must report, in writing, to the Superintendent of Schools who will acknowledge receipt of the submission, investigate the matter and respond in writing within 30 days after receiving the employee's submission. Where an allegation involves the Superintendent, the employee must forward the allegation to the Board of Education.

Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of Sections 8.10 and 8.24 of the WCB Occupational Health and Safety Regulations.

Where an employee believes that the matter has not been resolved by the Superintendent, the employee may then refer the allegation to the appropriate authority. If the employee decides to pursue the matter further then:

- allegations of illegal activity must be referred to the police;
- allegations of a misuse of public funds must be referred to the Board of Education;
- allegations of a danger to public health must be brought to the attention of health authorities; and
- allegations of a significant danger to the environment must be brought to the attention of the Deputy Minister, Ministry of Environment, Lands and Parks.

**Legal Proceedings Involving the Employer**

This standard does not apply to grievances and arbitrations related to Employees' collective agreements. Employees who are requested to sign affidavits relating to facts that have come to their knowledge in the course of their duties (for use in arbitrations, court or other proceedings) should seek advice from their union representatives, if applicable, and their supervisors. Employees are obliged to cooperate with lawyers defending the school district's interest in such proceedings, including lawyers acting for the School Protection Program. A written opinion prepared on behalf of school district by any legal counsel is to be treated as subject to solicitor/client privilege and is,

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therefore, confidential. Such an opinion is not to be released to persons outside the school system without prior written approval by the Superintendent.

### **Working Relationships**

Employees who are direct relatives or who live in the same household may not be employed in situations where:

- a reporting relationship exists where one employee has influence, input or decision-making power over the other employee's performance evaluation, salary, premiums, special permissions, conditions of work and similar matters; or
- the working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the Employer's interest.
- The above restriction on working relationships may be waived provided that the Superintendent is satisfied that sufficient safeguards are in place to ensure that the Employer's interests are not compromised.

Direct relatives are members of an Employee's immediate family as defined in the appropriate collective agreement.

### **Personnel Decisions**

Employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could accrue to them. For example, employees are not to participate in staffing actions involving direct relatives or persons living in the same household. The above restriction on personnel decisions may be waived provided that the Superintendent is satisfied that sufficient safeguards are in place to ensure that the Employer's interests are not compromised.

### **Outside Remunerative and Volunteer Work**

Employees may engage in remunerative employment with another employer, carry on a business, receive remuneration from public funds for activities outside their position or engage in volunteer activities provided it does not:

- interfere with the performance of their duties as a school district employee;
- bring the school district into disrepute;
- represent a conflict of interest or create the reasonable perception of a conflict of interest;
- appear to be an official act or to represent school district opinion or policy;
- involve the unauthorized use of work time or school district premises, services, equipment or supplies to which they have access by virtue of their school system employment; and
- gain an advantage that is derived from their employment as a school system employee.

If you have any questions or concerns regarding your particular situation, you are encouraged to contact your supervisor for advice and assistance.