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CODE OF ETHICAL CONDUCT

POLICY STATEMENT

North Island College (the “College”) expects all employees of the College to adhere to the highest standards of conduct, ethics and professionalism. Employees will be accountable for their actions and ensure they act in accordance with the College’s policies and procedures and local, provincial, and federal legislation.

The College is committed to developing an individualized education and training experience that is executed within a healthy working and learning environment. Employees are expected to instill public confidence, to exhibit a commitment to excellence in learning and teaching, and to demonstrate respect for the dignity and consideration for the well-being of all members of the College community.

PURPOSE STATEMENT

This policy establishes the standards of conduct expected of all College employees.

SCOPE AND APPLICATION

This policy applies to all College employees. Alleged violations of this policy by employees of the College will be addressed through this policy, unless the alleged violations also fall under one of the following policies, in which case the procedures followed will be those set out under that policy:

- a. the Human Rights Policy and Procedures will apply to allegations of Discrimination against students;
- b. the Sexualized Violence Prevention and Response Policy and Procedures will apply to allegations of Sexual Harassment of students;
- c. the Public Interest Disclosure Policy will apply to Allegations of Wrongdoing as defined in that policy; and
- d. the Respectful Workplaces, Bullying and Harassment Policy and Procedures will apply to allegations of disrespectful conduct between employees.

DEFINITIONS

Conflict of Commitment	A form of Conflict of Interest in which the external or personal activities and undertakings of a College Employee are so substantial as to be reasonably perceived to compromise, conflict with or impair their duties, responsibilities or obligations to the College.
Conflict of Interest	<p>A real or potential situation in which an Employee's activities may reasonably be perceived to advance the interests of the Employee or one or more Related Other(s) to the detriment or potential detriment of the College, as well as situations in which financial or other personal considerations may compromise, or have the appearance of compromising, the employee's professional judgement.</p> <p>Conflicts of interest include situations where an employee's personal, financial or other interests conflict or appear to conflict with the interests of the College.</p>
Related Other(s)	Any individual or group with whom an employee of the College has a familial or close personal relationship, with whom the employee shares financial or business interests, or to whom the employee owes an obligation.
Responsible Administrator	The Responsible Administrator in a particular case will be determined by the role within the College held by the Respondent and generally is the administrator to whom that employee reports.

PRINCIPLES

1. Compliance with this Code of Ethical Conduct is a condition of employment. Employees who fail to comply with these standards may be subject to disciplinary action, up to and including dismissal.
2. Employees are expected to inform themselves of the requirements of this policy and all other College policies which apply, or may apply, to their work, and to conduct themselves accordingly. Ignorance of applicable policy will not excuse non-compliance.
3. Employees are expected to act honestly, in good faith, and in the best interests of the College.
4. Employees will only provide those services which they are competent to perform based on their education, training, and professional experience and development. Employees will be diligent in ensuring that they accurately represent their qualifications and educational and professional credentials and will provide proof of those qualifications and credentials when requested by the College.
5. Employees will act in full compliance with all applicable laws and regulations while fulfilling their duties at the College and avoid situations that may create the perception of illegal conduct and/or a casual attitude towards legal and/or regulatory compliance. Employees are expected to ask for clarification from their Responsible Administrator should they be uncertain of the requirements in any situation.

6. Employees are accountable for their conduct and will not engage in conduct that disrupts College operations or may be considered inappropriate by any reasonable standard of behaviour. Inappropriate conduct includes, but is not limited to, conduct that:
 - a. interferes with the learning, working or community environment at the College;
 - b. creates an atmosphere of disrespect, hostility, intimidation, or discrimination, or exhibits or threatens violence;
 - c. contravenes common standards, protocols or regulations that relate to health and safety and proper operation of College facilities, including those utilized or operated in partnership with other parties;
 - d. damages any North Island College property or assets; or
 - e. damages, or has the potential to damage, the reputation of the College.
7. This policy and its procedures will be interpreted, administered, and applied in a fair, reasonable, unbiased and timely manner.

A. Professional Interpersonal Conduct

8. Employees will ensure that their interpersonal interactions exemplify courtesy and respect, that they demonstrate a considered effort to communicate effectively across cultures, and that all relationships connected to their work at the College are always appropriate.

Relationships with Other Employees

9. Employees will ensure that social relationships with other employees do not interfere with, or create the perception of interfering with, the effective functioning of the workplace.
10. Employees who are involved or who become involved in personal relationships (including romantic or sexual) are responsible for ensuring that the relationship does not raise concerns about the abuse of power, harassment, bias or conflict of interest.
11. Employees who become involved in romantic or sexual relationships with one of their direct reports will immediately disclose the relationship to their Responsible Administrator.
12. If an employee has a concern regarding a personal relationship, the employee will discuss it with their Responsible Administrator or the Associate Vice-President, People, Equity and Inclusion or designate to determine whether specific actions are warranted to mitigate any perceived, potential or actual conflicts of interest.

Conduct with Students

13. All members of the college community have the responsibility to create a safe, and inclusive environment. College employees are expected to treat students with respect and dignity and refrain from conduct which would reasonably cause the student to feel humiliated, intimidated or exploited.
14. Employees in instructional roles, or who have positions in which they can influence and/or have decision-making power over a student's grades, academic interests and/or other matters, will not become involved in a business or inappropriate personal relationship (which includes any romantic or sexual relationship) with a student for the duration of the time in

which there is such professional relationship and/or evaluative role with the student.

15. Related Others are permitted to register in an employee's class where issues of access to education for that Related Other would otherwise exist provided that:
 - a. the Employee discloses the real, perceived or actual conflict of interest to their Department Chair or Coordinator and to their Responsible Administrator;
 - b. a consultative process is engaged in between the Department Chair or Coordinator, Responsible Administrator and the Employee; and
 - c. the Employee follows all procedures put into place as a result of that consultative process to mitigate any perceived, potential or actual conflict of interest.

B. Avoidance of Real, Potential or Apparent Conflicts of Interest and Improper Influence

Conflicts of Interest and of Commitment

16. Employees of the College have a duty of fidelity to the College and will not allow their private interests, whether personal, financial, or other, to conflict with, or to appear to conflict with, their duties to the College.
17. Employees of the College have a duty to avoid conflicts of interest, including conflicts of commitment, and to disclose to their Responsible Administrator all real, potential, or perceived conflicts of interest that may arise while fulfilling their employment duties, responsibilities and obligations.
18. In general, a conflict of interest exists when employees use their position at the College for personal advantage or to benefit one or more Related Other(s).
19. Circumstances which may give rise to a conflict of interest include, but are not limited to:
 - a. involvement in purchasing decisions where a vendor is a Related Other;
 - b. involvement in hiring decisions where a candidate is a Related Other;
 - c. accessing confidential or proprietary College information, resources or business relationships to further the employee's non-College business-interests, or those of a Related Other;
 - d. acting in a decision-making or evaluative role over another employee or a student who is a Related Other; and
 - e. engaging in a business or inappropriate personal (which includes any sexual and/or romantic) relationship with a student over whom the employee has decision-making or evaluative authority.
20. A conflict of commitment is a form of conflict of interest in which the external or personal activities and undertakings of a College employee are so substantial so as to compromise, or be reasonably perceived to compromise, conflict with or impair their duties, responsibilities or obligations to the College.
21. Employees are expected to remain impartial and retain the perception of impartiality in relation to their duties and responsibilities with the College.

22. Employees will not speak or act on behalf of, nor create the impression of speaking or acting on behalf of, the College in their private endeavors.
23. Employees may be employed, carry on a business, or receive remuneration from public funds for activities outside of their position with the College, or engage in political or volunteer activities provided the involvement of the employee does not:
 - a. interfere with the performance of their duties to the College;
 - b. bring, or have the potential to bring, the College into disrepute;
 - c. create a conflict of interest or the reasonable perception of a conflict of interest;
 - d. appear to be an official act or to represent the College's opinion, position or policy;
 - e. involve the unauthorized use of work time or College premises, services, equipment, or supplies; or
 - f. gain an advantage that is derived from their employment with the College.
24. Employees will disclose to the College the nature of any non-College employment in which they are engaged which may give rise to an actual or perceived conflict of interest or conflict of commitment. Employees who are unsure whether this duty to disclose arises will discuss the matter with their Responsible Administrator.
25. Should employees apply to a position at the College which, if their application is successful, they intend to hold concurrently with their pre-existing position(s) at the College, they will inform their Responsible Administrator of this intention. Should the employee hold a full-time position at the College and wish to obtain additional employment with the College to be held concurrently with their full-time employment, they will first obtain the approval of their existing Responsible Administrator. Work in excess of full-time that creates, or appears to create, a Conflict of Commitment will not be permitted.
26. Employees will not hold a significant financial interest, either directly or through a family member, relative or friend, or hold or accept a position as an officer or employee in an organization that has a material relationship with the College, where by virtue of their position with the College, the employee could in any way benefit the other organization by influencing the decisions of the College, unless the interest has been disclosed and a remedy to the conflict has been implemented.
27. Employees will not, either directly, or indirectly through family, relatives, or friends, acquire or dispose of any interest, including publicly traded shares, in any company while having access to confidential information obtained in the course of their work with North Island College which could reasonably affect the value or anticipated value of such securities unless this has been disclosed to, and cleared by, their Responsible Administrator.

Entertainment, Gifts or Favours

28. Entertainment, gifts and favours may be accepted or offered by employees in the normal exchanges common to, and generally accepted in, established business relationships in which no sense of obligation is created. The following criteria should be used as a guide and employees will consult with their Responsible Administrator if they are uncertain or require further guidance:

- a. the transaction will be lawful;
 - b. the entertainment, gift or favour is of nominal value, occurs infrequently, and would be seen to be within the bounds of propriety and reasonable business and/or cultural standards taking into account the circumstances of the occasion; and
 - c. the entertainment, gift or favor is not used for financial gain by the employee or one or more Related Other(s).
29. Employees and Related Other(s) will not accept entertainment, gifts or favours that create or appear to create a favoured position for doing business with the College. Inappropriate gifts received by employees will be returned to the donor.
30. Employees will not offer or solicit entertainment, gifts or favours in order to secure preferential treatment for themselves or the College.

C. Use of College Property and Assets

31. Employees are entrusted with the care, management and cost-effective use of College property and assets, including the use of the College's name and intellectual property.
32. Employees will comply with Policy 3-28, Intellectual Property when developing or using intellectual property in the course of their employment with the College.
33. Employees may not dispose of or purchase North Island College property or assets except in accordance with policies and procedures established by the College.
34. Provided they comply with all incidental use requirements set out in this policy, or provided that they have received specific permission for incidental use through the process set out in this policy, employees may use College property and assets (excluding vehicles owned by the College), for incidental use.
- a. Incidental use is use that:
 - i. is infrequent and of short duration (i.e. during the evening or weekend);
 - ii. does not impact normal College operations;
 - iii. is not part of an activity which the employee does exclusively for personal remuneration or for the remuneration for a family member, relative or other associate; and
 - iv. follows sign-out procedures (as appropriate).
35. Any incidental use will comply with all applicable laws and regulations, including those of the Workers' Compensation Act workplace safety regime and Working Alone requirements. Incidental use will also comply with all the following incidental use requirements:
- a. The incidental use will not:
 - i. contravene this policy or any other College policy or procedure;
 - ii. cause the College to incur costs, including the cost of any supplies; or
 - iii. expose the College to any risk or liability.

- b. The employee engaging in incidental use of College property and/or assets will:
 - i. have received appropriate training for the property or asset that is being used prior to use;
 - ii. return the property or asset in the same or better condition or promptly reimburse the College for the cost of repair or replacement of the property or asset; and
 - iii. reimburse the College for any/ all costs incurred as the result of the employee's incidental use of the property or asset;

D. Confidential Information and Protection of Privacy

- 36. Confidential information, in any form, that employees receive through their employment will not be disclosed, released, or transmitted to anyone other than the persons authorized to receive the information.
- 37. Confidential information includes, but is not limited to, proprietary, technical, operational, business, financial, or legal information about the College, its employees, suppliers and contractors, and student information.
- 38. Employees with care or control of personal or sensitive information, electronic media, or devices will handle and dispose of these appropriately to ensure information is not lost, stolen or misused.
- 39. Employees who are in doubt as to whether certain information is confidential will ask the appropriate authority (Responsible Administrator or other appropriate Administrator) before disclosing, releasing or transmitting it.
- 40. The proper handling and protection of confidential information is applicable both within and outside the College and continues to apply after the employee's employment relationship with the College ends.
- 41. Confidential information that employees receive through their employment will not be used by an employee for the purpose of furthering any private interest, as a means of making personal gains or to initiate contact with another for reasons not directly related to sanctioned College activities.
- 42. Employees are to refer also to Policy #1-01: Freedom of Information and Protection of Privacy and Policy #1-05 Records Management with respect to their responsibilities in these areas.

E. Post-Employment Restrictions for Senior Executive Employees

- 43. The Post-Employment Restrictions set out in this section apply only to College employees who hold, or have held, the roles of President, Vice-President or Associate Vice-President.
- 44. If a Senior Executive Employee had substantive involvement in dealings with a private sector entity at any time during the year preceding the end of their employment with the College then, for a year after the end of such employment they will not:

- a. accept an offer of employment, an appointment to the board of directors or a contract to provide services to that private sector entity;
- b. lobby or otherwise make representations for that private sector entity to the College;
- c. provide counsel to that private sector entity, for its commercial purposes, concerning the programs or other interests of the College; or
- d. act for a private sector outside entity in connection with any ongoing proceedings, transactions, negotiations or cases in which the private sector entity and the College are involved if:
 - i. the Senior Executive Employee, during their former employment with the College, acted for or advised the College concerning the proceedings, transactions, negotiations or cases; and
 - ii. acting for the private sector entity would result in the receipt by the private sector entity of a private or commercial benefit or of any benefit not for general application.

45. The Chair of the Board of Governors, in consultation with the Governance and Board Development Committee of the Board, may reduce the one-year post-employment restriction upon an application from a current or former Senior Executive Employee of the College, upon consideration of the following criteria:

- a. the circumstances under which the term of employment ended;
- b. the Senior Executive Employee's general employment prospects;
- c. the significance to the College of information possessed by the Senior Executive Employee by virtue of the position held with the College;
- d. the desirability of a rapid transfer of the skills of the Senior Executive Employee to an employer other than the College;
- e. the degree to which the new employer might gain unfair commercial advantage by hiring the Senior Executive Employee;
- f. the authority and influence the Senior Executive Employee possessed while employed by the College; and
- g. the disposition of other cases.

F. Disclosure of Real or Potential Conflicts of Interest and Associated Procedures

46. Employees are required to disclose to their Responsible Administrator all interests and relationships of which the employee is aware which will or may be perceived as being a conflict of interest on or before commencing employment or, in situations where the interest or relationship develops after the commencement of employment, as soon as the employee becomes aware of the conflict or potential conflict.
47. Full and voluntary disclosure enables employees and the College to review and resolve unclear situations and provides an opportunity to dispose of conflicting interests prior to any difficulties arising.
48. The disclosure by the employee will be in writing and will provide fulsome and complete information about the nature, facts and extent of the conflict of interest concern.

49. If the conflict involves the employee's Responsible Administrator, the disclosure will be provided to the Associate Vice-President, People, Equity and Inclusion or designate.
50. Upon receiving disclosure, the Responsible Administrator will consult with the Associate Vice-President, People, Equity and Inclusion or designate, and as appropriate, with other people internal to and external to the College and seek direction of the applicable member of the College Leadership Team to address the concern. Following appropriate consultation, the matter will be documented in full, including the substance of the conflict, a determination as to whether or not a conflict exists, the follow-up actions that are required and confirmation that the matter has been resolved, or waiver approved.

Compliance, Reporting and Retaliation with Standards of Conduct

51. Employees may be subject to remedial or disciplinary action if they breach the standards of conduct established in this policy.
52. Employees who are concerned that another employee is in a conflict of interest or potential conflict of interest situation are required to report their concerns to the Associate Vice-President, People, Equity and Inclusion or designate, who will bring the matter to the attention of the appropriate Responsible Administrator of the employee in question.
53. When the College receives a complaint of a conflict of interest or otherwise becomes aware of a conflict or potential conflict of interest that has not otherwise been disclosed, the Responsible Administrator of the employee who is the subject of the complaint will investigate the matter and, following appropriate consultation as outlined in this policy, will make a determination of whether or not a real or perceived conflict of interest exists.
54. If it is determined that an employee has been involved in a conflict of interest situation or activity and has failed to previously disclose such activity, the Responsible Administrator will consult with the Associate Vice-President, People, Equity and Inclusion or designate, and others in determining an appropriate remedy (if any), as well as impose, or recommend the imposition of, disciplinary action.
55. No one who, in good faith, raises a concern, makes a complaint, or provides evidence in an investigation related to a complaint made pursuant to this policy will suffer reprisal or retaliation.
56. Frivolous, vexatious, or malicious complaints may be considered a violation of this policy and the individual responsible for the frivolous, vexatious or malicious complaints may be subject to disciplinary action.
57. Any supervisor or manager who directs or approves of a violation of this policy or knowingly fails to report or address a violation, is also in violation of this policy and may also be subject to disciplinary action.

Exceptions

58. Exceptions to the principles and standards outlined in this policy are expected to be rare and will only be considered in circumstances where there has been full disclosure on the part of the employee requesting an exception.

59. Requests for an exception will be submitted through an employee's exempt supervisor. If it is the President seeking an exception, the request will be made to the Chair of the Board of Governors.

LEGISLATIVE AND COLLECTIVE AGREEMENT REFERENCES

Collective Agreement between North Island College and Canadian Union of Public Employees Local No. 3479

Collective Agreement between North Island College and North Island College Faculty Association

Common Agreement between The Employers' Bargaining Committee on behalf of member institutions ratifying the Common Agreement and Federation of Post-Secondary Educators of BC (FPSE) on behalf of its local unions ratifying this Common Agreement

LINKS TO OTHER RELATED POLICIES, DOCUMENTS AND WEBSITES

[NIC Policy 1-01 Freedom of Information and Protection of Privacy](#)

[NIC Policy 1-05, Records Management](#)

[NIC Policy 1-20 Code of Ethical Conduct](#)

[NIC Policy 1-23 Public Interest Disclosure \(Whistleblower\)](#)

[NIC Policy 2-08 Human Rights](#)

[NIC Policy 2-10 Protection of Employees from Violence in the Workplace](#)

[NIC Policy 2-17 Respectful Workplaces and Prevention of Workplace Bullying and Harassment](#)

[NIC Policy 2-15 Occupational Health and Safety](#)

[NIC Policy 3-34 Sexualized Violence Prevention and Response](#)

[NIC Policy 3-28 Intellectual Property](#)