



# **Ethics in Business**

# **Conflict of Interest**

# **for Professionals**

## **Pre-Course Exercises**

Version 1.4  
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## Session Objectives

At the end of this session, you will:

- Be able to define conflict of interest
- Be more aware of conflict of interest issues
- Be able to identify potential conflicts of interest
- Know strategies you can use to manage conflict of interest
- Be able to write a conflict of interest policy

## Session Outline

- Case studies
- Ethics in general
- What is “conflict of interest”?
- Identifying conflict of interest
- Managing conflict of interest
- Conflict of interest policies
- Quiz

## Evaluation

The session will be evaluated in a number of ways.

Your progress will be assessed through a 5 question, open book quiz (pass mark is 3 out of 5)

The session itself will be evaluated through:

- Your feedback on several aspects of the course
- Your assessment of how much your personal knowledge and appreciation of conflict of interest increased during the session.

## In preparation for the course, . . .

In order to improve your experience in our *Conflict of Interest for Professionals* course, we ask you to do the following review the case studies included in this handout. Consider your answers to the case study questions in the spaces provided, along with *WHY* you believe the way you do.

**Do NOT send your answers in**

We will discuss your answers during the course.



## Conflict of Interest Policies

We have included in the guide several actual conflict of interest policies after the case studies. While you may find the policies a useful introduction to some of the different ways various organizations handle conflict of interest, the section is discretionary. You do NOT need to read through the sample policies unless you want to.

# Case Studies

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## Case Study Number One

The US President must travel as part of his duties. Presidential events are massive cash inputs to the hosting facilities when you consider

- Room and board for the President, advisors, security, press
- Free security upgrades
- Free publicity.

Donald Trump owns many facilities that could host presidential events.

Does Trump have a conflict of interest?

If so, how should Trump handle the issue?

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# Case Study Number Two

In Canadian universities, donations, grants and investments accounted for 34.6% of funding for sponsored research. Research donations are directed at research of interest to the wealthy donors. Research the donors are not interested in gets little funding.

Donors may donate to other universities if they are displeased with the research results.

Do Canadian universities have a conflict of interest?

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# Conflict of Interest Policies

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## Federal Government (Canada)

### Directive on Conflict of Interest

Version: 5.0

Version date: January 13, 2021

1. [Effective date](#)
2. [Application](#)
3. [Related corporate policy instruments](#)
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16. [Appendix E - How to manage a conflict of interest](#)

#### 1. Effective date

The Directive on Conflict of Interest came into effect on April 1, 2021 following approval by the Board of Management (Resolution # 2020-2021-23).

This directive replaces the April 5, 2018 version of the Directive on Conflict of Interest, Gifts and Hospitality, and Post-employment.

For the version history of this document, see [section 11](#).

#### 2. Application

This directive applies to employees of the Canada Revenue Agency (CRA) and to any other individuals required to follow CRA policy, and is mandatory to follow.

The [Code of Integrity and Professional Conduct](#) highlights the rules, and describes the values, that guide CRA employees in their work. The Code, along with the CRA Foundation Framework for Corporate Policy, sets out the requirement to follow CPIs.

Consequences of non-compliance: failure to comply with CPIs may result in corrective measures, including administrative and disciplinary actions. Directive on Conflict of Interest Page 2 of 25

To help interpret and implement this directive, key terms are defined in the [Definitions](#) appendix.

### **3. Related corporate policy instruments**

This directive flows from the Policy on Workplace Management.

For any other related CPIs, see [References](#).

### **4. Overview**

CRA employees play a key role in maintaining public confidence. The expectations in this directive, related instruments, and supplementary tools, are not meant to question the honesty and good faith of employees. Maintaining the CRA's strong reputation for integrity requires that employees look beyond the scope of their intentions and motives, and consider how the public may perceive their actions.

As public servants, CRA employees are held to a high standard of conduct because their official duties have an impact on the interests of all Canadians. They are expected to perform their work in an objective, loyal, and impartial way.

In complying with this directive, employees will not allow their private interests, outside activities, the offer, or receipt of a gift, or prospects for future employment, to influence them in the performance of their duties.

### **5. Objective and outcomes**

#### **5.1 Objective**

**5.1.1** Establish clear direction to prevent a real, apparent, or potential conflict of interest.

**5.1.2** Identify, disclose, and manage any conflict of interest that exists or arises between the duties of a CRA employee and their private interests and/or outside activities.

**5.1.3** Establish clear direction about gifts, hospitality, or other benefits.

**5.1.4** Establish clear direction about post-employment obligations for current and former employees, including those in the Executive (EX) group.

#### **5.2 Outcomes**

**5.2.1** Public trust in the integrity of the CRA is maintained.

**5.2.2** Any real, apparent, or potential conflict of interest is resolved in favour of the public interest.

**5.2.3** Gifts, hospitality, and other benefits are identified, disclosed, and managed.

**5.2.4** CRA employees will not allow a prospect for future employment to give rise to a conflict of interest.

### **6. Requirements**

#### **6.1 Obligations**

The requirements in this directive, and all related tools and instruments, are conditions of employment that support and uphold the CRA's [values](#). This directive must be applied in conjunction with the legislation, CPIs, and tools listed in the [References](#) section. Each year, employees are expected to review their ongoing obligations under this directive, the [Code of Integrity and Professional Conduct](#), and the [Values and Ethics Code for the Public Sector](#), to ensure that they continue to adhere to the conditions outlined therein.

## **6.2 Commitment**

Employees are required to disclose particular private interests and outside activities, gifts, hospitality, and other benefits, and plans for post-employment, in the appropriate confidential disclosure form. Delegated managers are required to assess, and manage real, apparent, or potential conflicts of interest.

### **6.3 Confidential disclosure forms**

#### **6.3.1 Disclosing private interests and outside activities:**

Employees are required to disclose their [private interests and/or outside activities](#), as outlined in [Appendix B - What to include in a confidential disclosure form](#).

#### **6.3.2 Disclosing gifts, hospitality, and other benefits:**

Employees are required to disclose the offer or receipt of a gift, hospitality, or other benefit as outlined in [Appendix C - What you need to know about gifts, hospitality, and other benefits](#).

#### **6.3.3 Disclosing post-employment:**

Before leaving the CRA, employees are required to disclose plans for post-employment as outlined in [Appendix D – What you need to know about post-employment](#).

## **7. Roles and responsibilities**

**7.1 Employees:** All employees have an obligation to prevent, identify, disclose, and manage conflicts of interest, and must:

- a. Perform their duties in a manner that upholds the public trust, and avoid situations that could or will place them in a [real, apparent, or potential](#) conflict of interest.
- b. Arrange their private interests and/or outside activities, and deal with the offer or receipt of a gift, hospitality, other benefit, or plans for post-employment, in a way that will bear the closest public scrutiny. It is not enough to simply act within the law.
- c. Never disclose, take advantage of, or benefit from information obtained in the course of their duties and that is not publicly available, for personal gain, or the gain of any other person or entity, including friends or family members. This obligation continues during periods of leave with or without pay, and continues after leaving the CRA or the public service of Canada.



- d. Not advertise or make it known that they work for the CRA in order to generate or enhance their private interests and/or outside activities, for personal gain, or for the gain of any other person or entity, including friends or family members, or use their position at the CRA in a way that is dishonest, biased, or breaches the public trust.
- e. Not allow their private interests and/or outside activities to impair their availability, capacity, or ability to perform their CRA duties.
- f. Not perform work related to their private interests and/or outside activities during CRA work time, or through the use of the CRA network, systems, or assets. For more information, see the Computer Systems and Electronic Networks Usage Directive.
- g. Not have private interests or participate in outside activities that relate directly to any Act(s) administered in their role at the CRA, unless prior approval from the delegated manager has been obtained. For more information, see [Appendix B - What to include in a confidential disclosure form](#).
- h. Not solicit or accept any gift, hospitality, or other benefit that will, could, or could be perceived to influence their judgement, or call into question the integrity of the CRA. For more information, see [Appendix C - What you need to know about gifts, hospitality, and other benefits](#).
- i. Not allow themselves to be influenced by plans for, or offers of, employment after leaving the CRA, including self-employment. For more information, see [Appendix D – What you need to know about post-employment](#).
- j. Not provide service to, or deal with the file(s) of friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors unless prior approval from their immediate supervisor has been obtained. The immediate supervisor **must** advise the [delegated manager](#) of such situations.
- k. Not assist friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors in their dealings with the CRA, as a tax administration or as an employer. For more information, see definitions for [preferential treatment and privileged access](#).
- l. Immediately report any requests for preferential treatment or privileged access to the immediate supervisor. The immediate supervisor **must** advise the delegated manager of such situations.
- m. Not represent people or entities in actions against the CRA unless prior approval has been obtained from their delegated manager through a confidential disclosure form.
- n. Not interfere with friends, family members, acquaintances, business associates, current/former colleagues, or current/former superiors who are dealing with the CRA, as a tax administration or as an employer, in order to influence the outcome.
- o. Not engage in any political activities that will impair, or could be seen to impair, their ability to perform their duties in an objective and impartial way. For more information, see Participating in political activities or go to the [Public Service Commission's site](#).
- p. Take the prescribed steps to cease, withdraw, divest, or undertake any other action deemed necessary by the delegated manager to address, mitigate, or resolve a conflict of interest. Where the employee and the delegated manager disagree on

the action necessary to manage a conflict of interest, the employee must comply with the direction given. Employees can grieve the direction in accordance with their terms and conditions of employment, or collective agreement. For more information, see the Procedures for handling grievances – Labour Relations.

### **7.2 Delegated managers**

- a. Administer the disclosure process by receiving, reviewing, and managing confidential disclosure forms in accordance with the [Privacy Act](#) and related CPIs.
- b. Secure and maintain all confidential disclosure documentation in the CAS-Commitment application.
- c. Evaluate each confidential disclosure, render a decision within 25 business days, and record it in the CAS-Commitment application, as prescribed in the Confidential Disclosure Form Assessment Tool.
- d. Take the appropriate measures necessary to manage and monitor a conflict of interest.
- e. Ensure that when an employee is required to divest, withdraw from, or cease a private interest or outside activity, that the action is completed within 120 working days of the date that the decision was communicated to the employee. If more time is required, the delegated manager may extend the 120-day period and advise the employee accordingly.

### **7.3 All executives, managers, supervisors, and team leaders**

- a. Direct an employee to submit a confidential disclosure form to the delegated manager if they observe, suspect, or are informed that the employee is, or may be, in a [real, apparent, or potential](#) conflict of interest situation, or if the employee has received a gift, hospitality, or other benefit.
- b. Advise the delegated manager of any cases of, or requests for, preferential treatment or privileged access to the CRA.
- c. Ensure that employees who are leaving the CRA are aware of their ongoing post-employment obligations in accordance with the established process (please refer to Post-employment for specific instructions).
- d. Actively support compliance with this directive and related CPIs.

### **7.4 Assistant Commissioners or branch heads**

- a. Foster a branch or regional culture that supports compliance with this directive.
- b. Take appropriate actions in partnership with the Assistant Commissioner of the Human Resources Branch to address instances of non-compliance of this directive.

### **7.5 Director General of Workplace Relations and Compensation Directorate (WRCD)**

- a. Oversee the development and administration of this directive and related CPIs.
- b. Oversee the assessment and review activities related to this directive.
- c. Oversee the functional direction and guidance on matters related to this directive.
- d. Oversee the development of communication and learning products related to this directive and its related CPIs.

### **7.6 Director of Integrity and Well-being Division (IWD)**

- a. Report to the Commissioner, annually, on all disclosed gifts, hospitality, and other benefits.
- b. Provide strategic advice and guidance on how this directive and related CPIs are applied.
- c. Coordinate, direct, and administer the development of this directive and related CPIs.
- d. Assess, monitor, and implement activities related to this directive and related CPIs.

#### **7.7 Labour Relations Advisors**

- a. Provide direction, advice, and guidance to managers on how to apply this directive and related CPIs.
- b. Actively support compliance with this directive and related CPIs.

#### **7.8 Executive Staffing and Workplace Relations Division**

- a. Provide advice to the Commissioner and Assistant Commissioners regarding confidential disclosure forms submitted by executives.
- b. Actively support compliance with this directive and CPIs.

#### **7.9 Senior Officer for Post-employment (SOPE)**

- a. Provide direction, advice, and guidance on issues related to post-employment.
- b. Assess and monitor activities related to post-employment.

### **8. Review and assessment**

The Human Resources Branch is responsible for the scheduled review of this directive every five years, as well as any unscheduled reviews when necessary.

To support the review process, the Human Resources Branch will identify and undertake any monitoring and assessment activities to help it determine if the directive is effective and is being followed.

### **9. References**

The Directive on Conflict of Interest is based on the authorities set out in the legislation listed below.

#### **Legislation**

- Access to Information Act
- Canada Revenue Agency Act
- Criminal Code
- Excise Act, 2001
- Excise Tax Act
- Federal Accountability Act
- Federal Public Sector Labour Relations Act
- Financial Administration Act
- [Income Tax Act](#)
- [Lobbying Act](#)

- [Privacy Act](#)
- [Public Service Employment Act](#)

**Related instruments and information:**

- Code of Integrity and Professional Conduct and [Values and Ethics Code for the Public Sector \(VECPS\)](#)
- Computer Systems and Electronic Networks Usage Directive
- Confidential disclosure form (for use when there is no access to ESS/MSS)
- Confidential Disclosure Form Assessment Tool
- Conflict of Interest on KnowHow
- Contracting with Former Public Servants Directive
- CRA Foundation Framework for Corporate Policy
- CRA Integrity Framework
- Delegation of Human Resources (HR) Authorities
- Directive on discipline and Procedures for addressing employee misconduct
- Directive on Terms and Conditions of Employment
- Directive on Terms and Conditions of Employment for the Human Resources Group
- Employee fundraising information tool
- Human Resources Management Function - Disposition Authority No. 98/005
- Internal Investigations into Alleged or Suspected Employee Misconduct Directive
- Leaving the Canada Revenue Agency
- Oath and Affirmation
- Participating in political activities
- Policy on Workplace Management
- Post-employment
- Procedures for handling grievances – Labour Relations
- Procurement Planning and Administration Procedures
- Public Service Commission
- Travel Directive

**10. Enquiries**

Direct questions about this directive to the [Values and Ethics Office](#), Human Resources Branch. Questions about the application of this directive or about specific conflict of interest situations should be sent through the HR Service Centre.

## NS Government

### 8.1 Conflict of Interest Policy

#### Policy Statement

Recognizing and addressing issues that arise from conflict of interest is an important facet of a professional public service. This policy is intended to reduce the potential for conflict of interest within Nova Scotia's public service by defining conflict of interest and by providing tools to address issues that arise when employee's personal and employment interests conflict.

This policy compliments *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants* and the *Conflict of Interest Act*, S.N.S. 2010, c. 35, Sections 22-34. The act has prevailing authority over this policy.

#### Definitions

##### CONFLICT OF INTEREST

Conflict of interest exists when the duties and responsibilities of an employee are or potentially could be compromised by his or her personal and private interests<sup>1</sup>. A conflict of interest may be real, apparent or perceived.

"Real" conflict of interest exists when the employee has knowledge of a private interest economic or otherwise that could influence the exercise of his or her public duties and responsibilities.

"Apparent" or "perceived" conflict of interest exists when the employee is in a situation in which a reasonably well-informed person could properly have a reasonable apprehension that a conflict of interest exists, even when there may not be a conflict.

##### DEPUTY HEAD

The deputy of the member of the Executive Council presiding over a department and all others whom the Governor in Council from time to time designates as having the status of deputy head.

##### DEPARTMENTS

Any department, office, or public service entity established by the Government of Nova Scotia, as identified under Category 1 in Appendix 1-A of the Corporate Administrative Policy Manuals Policy.

<sup>1</sup> 22 (1) ... "private interest" does not include an interest in a matter that (a) is of general public appreciation; (b) affects a public employee as one of a broad class of person; (c) concerns the remuneration, allowances and benefits of a public employee; or (d) is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence a public employee. *Conflict of Interest Act*, S.N.S. 2010, c. 35.

##### EMPLOYEE

An employee as defined in the *Civil Service Act*, the *Highway Workers' Collective Bargaining Act*, and any other person directly employed by the Province of Nova Scotia.

### **Policy Objective**

The objective of this policy is to ensure that neither the public's interests nor the private interests of public employees are compromised in the course of government's daily operations by raising awareness of certain conduct and offering tools to assist employees and managers.

### **Application**

This policy applies to all employees whose terms and conditions are set out in accordance with both the *Civil Service Act* and its regulations and other direct employees of the provincial government including all bargaining unit employees.

### **Policy Principles**

Nova Scotia's employees

- recognize that conflict of interest in the public service undermines the confidence of the public and that of elected officials. They also recognize that confidence in the public service is fundamental to the successful management of government overall.
- place the trust and confidence of our citizens and elected officials in the highest regard and work to foster a reputation as being a caring and professional public service.
- must be impartial and accountable and treat all citizens and all matters related to the public interest with respect, integrity and fairness.
- will not unduly benefit through their position within the public service.
- have personal and private interests and the same rights and privileges accorded every Nova Scotian.
- can participate in, have membership in, and serve not-for-profit organizations.

When a conflict of interest exists, the interests of the public supersede those of the employee.

Having a conflict of interest does not necessarily indicate wrongful conduct. Employees will not be disciplined for reporting, discussing, or seeking information about conflict of interest.

### **Directives / Practices**

#### **PREVENTING CONFLICT OF INTEREST**

Employees must avoid real, apparent, and perceived conflict of interest, because the mere perception of a conflicting interest and the failure to address real, apparent, or perceived conflicts undermines the public's confidence in the public service. Employees can help to prevent conflict of interest by using one or both of the following techniques: avoidance and disclosure.

#### **Avoidance**

## Employees

- will arrange their private interests in a manner that prevents real and/ or apparent and/or perceived conflict when carrying out the duties and responsibilities of their job.
- will not engage in private interests that could be affected by government actions in which they participate.
- will not give preferential treatment or disclose confidential information to private or personal interests, or any person or organization intent on securing dealings with the government.
- will not knowingly take advantage of, nor benefit from, information that is obtained in the course of their official duties and not generally available to the public.
- will not benefit from government programs and services beyond the extent of what is available to all members of the public.
- will disclose to the deputy head of their department, details regarding contracts or agreements between government or a minister or a department and the employee's spouse or dependent children.
- will withdraw from activities or situations in which they believe there could be a conflict of interest and they will report in writing, to their manager, details of their actions and the perceived conflict.
- will not solicit economic consideration nor accept gifts in lieu of payment.
- will not directly nor indirectly use or allow the use of, government property of any kind, including property leased to the government, for any purposes other than those that are approved.
- who participate in outside employment or community based activities (e.g., teaching, volunteering, community outreach) will avoid behaviours that could infer that they are participating in an 'official' capacity, are there as an official on behalf of, or a representative of, the government, or government opinion or policy. Employees will ensure that these activities do not unduly interfere with their job related duties and will not use government premises, equipment, or supplies, unless such use is otherwise authorized.

## Disclosure

Employees who have a conflict of interest (real, apparent, or perceived) must provide a confidential report to their supervisor outlining the nature of the conflict.

Employees will refer to the *Conflict of Interest Act*, when they find themselves in a situation in which a conflict of interest (real, apparent or perceived) exists. The act reads:

22 (4) Where a public employee is at a meeting at which consideration of a decision arises in the execution of the office of the public employee and where the public employee knows or ought to know that the decision could result in the public employee receiving a personal benefit, the public employee shall; (a) inform the meeting that the decision could result in a personal benefit to the public employee and the general nature of that benefit; (b) withdraw from the meeting; and

(c) refrain from participating in or influencing the decision.

## **EDUCATION**

Every department can

- prepare information and education materials regarding this policy for their employees
- prepare and implement training of employees regarding conflict of interest and post-service behaviour.

## **Gifts, Hospitality, and Other Benefits**

Employees must carefully consider the implications of accepting gifts, hospitality and other benefits. Citizens and corporations will occasionally express their appreciation for the efforts of a public servant by offering gifts, hospitality or benefits. These gestures are usually modest and offered without expectation or in return for special consideration. On the other hand, a citizen or a corporation might offer a gift, hospitality, or benefit that seems disproportionate or lavish or for which there could appear to be an implicit or explicit expectation of special consideration, (e.g., a service that exceeds what's typically available through a government program). **8-4**

Employees must exercise good judgement and discretion in deciding the intent of such a gesture and whether or not to accept the gift, hospitality, or benefit. The employee must decide if accepting the gift, hospitality or benefit could appear to, or in fact, compromise their integrity and commitment to government.

If an employee is uncertain or concerned about accepting an offer of a gift, hospitality, or benefit, they should decline the offer and report the incident to their immediate supervisor as soon as possible. If an employee is offered a gift, hospitality or other benefit but does not believe that they can refuse the offer for fear of insulting the giver or in fear of their own safety, they must report the incident to their immediate supervisor or deputy head, who will advise the employee on how to proceed with the matter.

Employees will not solicit gifts, hospitality and other benefits from citizens, organizations or companies unless for charitable purposes undertaken by the government and sanctioned by the deputy head. Soliciting gifts, hospitality, and other benefits for personal gain is contrary to this policy and could be reviewed within the context of the Criminal Code of Canada.

## **Notification**

Employees will have access to this policy and *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants*.

[<http://novascotia.ca/psc/about/overview/publicationsPolicies/codeofconduct/>]

## **Interpretation**

Employees who need clarification or direction regarding the interpretation or application of this policy and or the *Values, Ethics and Conduct: A Code for Nova*



*Scotia's Public Servants*, may consult with their supervisor or the Conflict of Interest Commissioner in accordance with Section 28 of the *Conflict of Interest Act*.

## **POST SERVICE RESTRICTIONS**

Post Service restrictions are governed by the *Conflict of Interest Act* which provides;

- 23 (2) ... a former member or public employee, for six months after ceasing to hold office or employment, shall not knowingly
- (a) accept a contract or benefit that is awarded, approved or granted by a government decision-maker; **8-5**
  - (b) make representations to a government decision-maker on his or her behalf or on behalf of another person with respect to a contract or benefit; or
  - (c) accept a contract or benefit from any person to make representations to a government decision-maker with respect to a contract or benefit that is or is to be awarded, or granted by a government decision maker.

These post-service restrictions do not apply to future contracts of employment with the Province of Nova Scotia. Nor do they apply if the conditions on which the contract or benefit is awarded approved or granted are the same for all persons similarly entitled.

Under Section 24 of the *Conflict of Interest Act*, an employee may apply to the Conflict of Interest Commissioner to seek an exemption from the application of the post-service restrictions and the Commissioner may grant such an exemption as per the act.

### **Dealing with former employees**

Employees who have official dealings (other than those that consist of routine provision of service available to members of the public) with former employees who are or may be governed by the post-service restrictions, must report this activity to their supervisor, who will determine whether the former employee is complying with the prescribed measures. The supervisor may seek a ruling from the Conflict of Interest Commissioner on such matters. Employees will not have official dealings with former employees determined to be acting in violation of the post-service restrictions.

### **Guidelines**

Departments may develop guidelines, as required, to help implement and administer this policy.

The deputy head may augment this policy and *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants* with procedures and guidance respecting conflict of interest, post-service situations, and conduct issues so as to address responsibilities that are of particular concern to their department. Such augmentations should reflect special requirements contained in statutes governing the operations of the department. **8-6**

## **CONTACTING THE CONFLICT OF INTEREST COMMISSIONER**

The employer and the employee may, by application, request that the Conflict of Interest Commissioner give an opinion and recommendations, which are confidential, on any matter respecting employees under this policy and the *Conflict of Interest Act*. An employee who acts on the opinion and recommendations given by the Conflict of Interest Commissioner is deemed not to be in contravention of this policy nor the *Conflict of Interest Act* with respect to the matters dealt with in the opinion and recommendation.

## **CONFIDENTIALITY**

Information concerning the private interest of an employee that is provided to a supervisor in a department will be treated in confidence, subject to the disclosure requirements established by law.

## **FAILURE TO AGREE**

Should an employee and their supervisor disagree about what is necessary to achieve compliance with this policy, the disagreement must be submitted to the deputy head for decision and or a recommendation.

In the event that a Deputy Head and the Head of the Public Service disagree about what is necessary to achieve compliance with this policy, the Head of the Public Service shall decide.

## **FAILURE TO COMPLY**

An employee who fails to comply with this policy is subject to appropriate disciplinary action, up to and including discharge.

## **Accountability**

### **EMPLOYEES**

Employees have a duty to avoid a conflict of interest, to account for their conduct, to report a conflict of interest, and take appropriate action to mitigate conflict of interest. During the employee's annual performance review, they will be asked to indicate in writing, their agreement to abide by this policy and by the standards and values expressed in *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants*.

### **DEPUTY HEAD**

The deputy head oversees the administration and compliance with this policy and the *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants*. Within their department, the deputy head will issue instructions necessary to implement this policy including, but not limited to, the following: **8-7**

- ensuring employees are informed of the requirements of this policy

ensuring that procedures are in place so that before or upon any appointment, appointees signify that they have read and understand this policy and the *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants* and acknowledge that abiding by both is a condition of their employment with the Province of Nova Scotia.

- determining whether a conflict of interest exists and what actions, if any, are to be taken
- establishing procedures for employees to report conflict of interest to their supervisor
- discussing post-employment restrictions during exit interviews, if possible
- consulting with the Conflict of Interest Commissioner

#### **HEAD OF THE PUBLIC SERVICE**

The Head of the Public Service administers this policy with respect to deputy heads.

#### **CONFLICT OF INTEREST COMMISSIONER**

The Conflict of Interest Commissioner provides employees with opinions and recommendations in relation to conflicts of interest, makes inquiries on their own initiative and on behalf of others concerning conflicts of interest.

#### **PUBLIC SERVICE COMMISSION**

The Public Service Commission provides advice and assistance to departments on the application of this policy and the *Values, Ethics and Conduct: A Code for Nova Scotia's Public Servants* and conducts periodic reviews of both. The Commission provides:

- tools to departments to support this policy
- leadership with respect to networking and information sharing

#### **Monitoring**

The Public Service Commission will be responsible for monitoring the effectiveness and consistent application of this policy. **8-8**

# US House of Representatives

## Code of Official Conduct

Jan 10, 2023

### RULES OF THE HOUSE OF REPRESENTATIVES - 118th CONGRESS

#### RULE XXIII—CODE OF OFFICIAL CONDUCT

There is hereby established by and for the House the following code of conduct, to be known as the “Code of Official Conduct”:

1. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall behave at all times in a manner that shall reflect creditably on the House.
2. A Member, Delegate, Resident Commissioner, officer, or employee of the House shall adhere to the spirit and the letter of the Rules of the House and to the rules of duly constituted committees thereof.
3. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not receive compensation and may not permit compensation to accrue to the beneficial interest of such individual from any source, the receipt of which would occur by virtue of influence improperly exerted from the position of such individual in Congress.
4. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept gifts except as provided by clause 5 of rule XXV.
5. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not accept an honorarium for a speech, a writing for publication, or other similar activity, except as otherwise provided under rule XXV.
6. A Member, Delegate, or Resident Commissioner—
  - (a) shall keep the campaign funds of such individual separate from the personal funds of such individual;
  - (b) may not convert campaign funds to personal use in excess of an amount representing reimbursement for legitimate and verifiable campaign expenditures; and
  - (c) except as provided in clause 1(b) of rule XXIV, may not expend funds from a campaign account of such individual that are not attributable to bona fide campaign or political purposes.
7. A Member, Delegate, or Resident Commissioner shall treat as campaign contributions all proceeds from testimonial dinners or other fund-raising events.
8. (a) A Member, Delegate, Resident Commissioner, or officer of the House may not retain an employee who does not perform duties for the offices of the employing authority commensurate with the compensation such employee receives.

(b) In the case of a committee employee who works under the direct supervision of a member of the committee other than a chair, the chair may require that such member affirm in writing that the employee has complied with clause 8(a) (subject to clause 9 of rule X) as evidence of compliance by the chair with this clause and with clause 9 of rule X.

(c)(1) Except as specified in subparagraph (2)—

(A) a Member, Delegate, or Resident Commissioner may not retain the relative of such individual in a paid position; and

(B) an employee of the House may not accept compensation for work for a committee on which the relative of such employee serves as a member.

(2) Subparagraph (1) shall not apply in the case of a relative whose pertinent employment predates the One Hundred Thirteenth Congress.

(3) As used in this paragraph, the term “relative” means an individual who is related to the Member, Delegate, or Resident Commissioner as parent, child, sibling, parent’s sibling, first cousin, sibling’s child, spouse, parent-in-law, child-in-law, sibling-in-law, stepparent, stepchild, stepsibling, half-sibling, or grandchild.

9. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not discharge and may not refuse to hire an individual, or otherwise discriminate against an individual with respect to compensation, terms, conditions, or privileges of employment, because of the race, color, religion, sex (including marital or parental status), sexual orientation, gender identity, disability, age, or national origin of such individual, including by committing an act of sexual harassment against such individual, but may take into consideration the domicile or political affiliation of such individual.

10. (a) A Member, Delegate, or Resident Commissioner who has been convicted by a court of record for the commission of a crime for which a sentence of two or more years’ imprisonment may be imposed should refrain from participation in the business of each committee of which such individual is a member, and a Member should refrain from voting on any question at a meeting of the House or of the Committee of the Whole House on the state of the Union, unless or until judicial or executive proceedings result in reinstatement of the presumption of the innocence of such Member or until the Member is reelected to the House after the date of such conviction.

(b) A Member, Delegate, or Resident Commissioner who has been indicted for or otherwise formally charged with criminal conduct in any Federal, State, or local court punishable as a felony for which a sentence of two or more years’ imprisonment may be imposed should resign from any standing, select, joint or ad hoc committee, and any subcommittee thereof, on which such Member, Delegate, or Resident Commissioner serves, and should step aside from any party caucus or conference leadership position such Member, Delegate, or Resident Commissioner holds, unless or until judicial or executive proceedings result in acquittal or the charges are dismissed or reduced to less than a felony as described in this paragraph.

11. A Member, Delegate, or Resident Commissioner may not authorize or otherwise allow an individual, group, or organization not under the direction and control of the

House to use the words “Congress of the United States,” “House of Representatives,” or “Official Business,” or any combination of words thereof, on any letterhead or envelope.

12. (a) Except as provided in paragraph (b), an employee of the House who is required to file a report under rule XXVI may not participate personally and substantially as an employee of the House in a contact with an agency of the executive or judicial branches of Government with respect to non-legislative matters affecting any nongovernmental person in which the employee has a significant financial interest.

(b) Paragraph (a) does not apply if an employee first advises the employing authority of such employee of a significant financial interest described in paragraph (a) and obtains from such employing authority a written waiver stating that the participation of the employee in the activity described in paragraph (a) is necessary. A copy of each such waiver shall be filed with the Committee on Ethics.

13. Before a Member, Delegate, Resident Commissioner, officer, or employee of the House may have access to classified information, the following oath (or affirmation) shall be executed:

“I do solemnly swear (or affirm) that I will not disclose any classified information received in the course of my service with the House of Representatives, except as authorized by the House of Representatives or in accordance with its Rules.”

Copies of the executed oath (or affirmation) shall be retained as part of the records of the House, in the case of a Member, Delegate, or the Resident Commissioner, by the Clerk, and in the case of an officer or employee of the House, by the Sergeant-at-Arms. The Clerk shall make the signatories a matter of public record, causing the names of each Member, Delegate, or Resident Commissioner who has signed the oath during a week (if any) to be published in a portion of the Congressional Record designated for that purpose on the last legislative day of the week and making cumulative lists of such names available each day for public inspection in an appropriate office of the House.

14. A Member, Delegate, or Resident Commissioner may not, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

(a) take or withhold, or offer or threaten to take or withhold, an official act; or

(b) influence, or offer or threaten to influence, the official act of another.

15. (a) Except as provided in paragraphs (b) and (c), a Member, Delegate, or Resident Commissioner may not use personal funds, official funds, or campaign funds for a flight on an aircraft.

(b) Paragraph (a) does not apply if—

(1) the aircraft is operated by an air carrier or commercial operator certificated by the Federal Aviation Administration and the flight is required to be conducted under air carrier safety rules, or, in the case of travel which is abroad, by an air carrier or

commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under air carrier safety rules;

(2) the aircraft is owned or leased by a Member, Delegate, Resident Commissioner or a family member of a Member, Delegate, or Resident Commissioner (including an aircraft owned by an entity that is not a public corporation in which the Member, Delegate, Resident Commissioner or a family member of a Member, Delegate, or Resident Commissioner has an ownership interest, provided that such Member, Delegate, or Resident Commissioner does not use the aircraft any more than the Member, Delegate, Resident Commissioner, or family member's proportionate share of ownership allows);

(3) the flight consists of the personal use of an aircraft by a Member, Delegate, or the Resident Commissioner that is supplied by—

(A) an individual on the basis of personal friendship; or

(B) another Member, Delegate, or the Resident Commissioner;

(4) the aircraft is operated by an entity of the Federal government or an entity of the government of any State; or

(5) the owner or operator of the aircraft is paid a pro rata share of the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size as determined by dividing such cost by the number of Members, Delegates, or the Resident Commissioner, officers, or employees of Congress on the flight.

(c) An advance written request for a waiver of the restriction in paragraph (a) may be granted jointly by the chair and ranking minority member of the Committee on Ethics, subject to such conditions as they may prescribe.

(d) In this clause—

(1) the term “campaign funds” includes funds of any political committee under the Federal Election Campaign Act of 1971, without regard to whether the committee is an authorized committee of the Member, Delegate, or Resident Commissioner involved under such Act;

(2) the term “family member” means an individual who is related to the Member, Delegate, or Resident Commissioner, as parent, child, sibling, spouse, or parent-in-law; and

(3) the term “on the basis of personal friendship” has the same meaning as in clause 5 of rule XXV and shall be determined as under clause 5(a)(3)(D)(ii) of rule XXV.

16. A Member, Delegate, or Resident Commissioner may not condition the inclusion of language to provide funding for a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint explanatory statement of managers) on any vote cast by another Member, Delegate, or Resident Commissioner. For purposes of this clause and clause 17, the terms

“congressional earmark,” “limited tax benefit,” and “limited tariff benefit” shall have the meanings given them in clause 9 of rule XXI.

17. (a) A Member, Delegate, or Resident Commissioner who requests a congressional earmark, a limited tax benefit, or a limited tariff benefit in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (or an accompanying joint statement of managers) shall provide a written statement to the chair and ranking minority member of the committee of jurisdiction, including—

(1) the name of the Member, Delegate, or Resident Commissioner;

(2) in the case of a congressional earmark, the name and address of the intended recipient or, if there is no specifically intended recipient, the intended location of the activity;

(3) in the case of a limited tax or tariff benefit, identification of the individual or entities reasonably anticipated to benefit, to the extent known to the Member, Delegate, or Resident Commissioner;

(4) the purpose of such congressional earmark or limited tax or tariff benefit; and

(5) a certification that the Member, Delegate, or Resident Commissioner or spouse has no financial interest in such congressional earmark or limited tax or tariff benefit.

(b) Each committee shall maintain the information transmitted under paragraph (a), and the written disclosures for any congressional earmarks, limited tax benefits, or limited tariff benefits included in any measure reported by the committee or conference report filed by the chair of the committee or any subcommittee thereof shall be open for public inspection.

18. (a) A Member, Delegate, or Resident Commissioner may not engage in a sexual relationship with any employee of the House who works under the supervision of the Member, Delegate, or Resident Commissioner, or who is an employee of a committee on which the Member, Delegate, or Resident Commissioner serves. This paragraph does not apply with respect to any relationship between two people who are married to each other.

(b) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not engage in unwelcome sexual advances or conduct towards another Member, Delegate, Resident Commissioner, officer, or employee of the House.

(c) In this clause, the term “employee” includes an applicant for employment, a paid or unpaid intern (including an applicant for an internship), a detailee, and an individual participating in a fellowship program.

19. (a) A Member, Delegate, Resident Commissioner, officer, or employee of the House may not serve as an officer or director of any public company.

(b) In paragraph (a), the term ‘public company’ means an issuer as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)—



(1) the securities of which are required to be registered under section 12 of such Act (15 U.S.C. 78l); or

(2) that is required to file reports under section 15(d) of such Act (15 U.S.C. 78o(d)).

(c) A Member, Delegate, Resident Commissioner, officer, or employee of the House shall comply with regulations issued and revised, as necessary, by the Committee on Ethics regarding types of prohibited service or positions that could lead to conflicts of interest.

20. A Member, Delegate, Resident Commissioner, officer, or employee of the House may not, directly or indirectly, take any actions to prevent any individual from or retaliate against any individual for providing truthful information to the Committee on Ethics, the Office of Congressional Ethics, the Office of Congressional Workplace Rights, or any law enforcement official, provided that the disclosure of such information is not otherwise prohibited by law or House rules.

21. (a) Except as provided in paragraphs (b) and (c), a Member, Delegate, Resident Commissioner, officer, or employee of the House shall not knowingly and willfully disclose publicly the identity of, or personally identifiable information about, any individual who has reported allegations of possible wrongdoing, including retaliation, under processes and protections provided by the Civil Service Reform Act of 1978, the Whistleblower Protection Act of 1989, the Intelligence Community Whistleblower Protection Act of 1998, or any other Federal law that establishes the right for individuals to make protected disclosures to Congress.

(b) The limitation in paragraph (a) shall not apply to any disclosure of an individual's identity or personally identifiable information if—

(1) the individual has provided express written consent prior to such disclosure;

(2) the individual has already voluntarily and publicly disclosed their identity; or

(3) the disclosure is by the chair of a committee after an affirmative vote by two-thirds of the members of the committee that such disclosure is in the public interest.

(c) Nothing in this clause shall prevent—

(1) an investigation of any allegation of wrongdoing disclosed by any individual; or

(2) the public disclosure of substantive information shared by any individual that is not personally identifiable to that individual.

(d) Disclosures made pursuant to paragraph (b)(3) shall be subject to appropriate safeguards, including that the individual be provided timely advance notice if possible before their identity or any personally identifiable information is disclosed prior to the vote described in paragraph (b)(3), unless such information would jeopardize the related investigations. When providing such notice to the individual the committee chair shall send the individual a written explanation of the reasons for the disclosure.

22. (a) In this Code of Official Conduct, the term “officer or employee of the House” means an individual whose compensation is disbursed by the Chief Administrative Officer.

(b) An individual whose services are compensated by the House pursuant to a consultant contract shall be considered an employee of the House for purposes of clauses 1, 2, 3, 4, 8, 9, and 13 of this rule. An individual whose services are compensated by the House pursuant to a consultant contract may not lobby the contracting committee or the members or staff of the contracting committee on any matter. Such an individual may lobby other Members, Delegates, or the Resident Commissioner or staff of the House on

matters outside the jurisdiction of the contracting committee. In the case of such an individual who is a member or employee of a firm, partnership, or other business organization, the other members and employees of the firm, partnership, or other business organization shall be subject to the same restrictions on lobbying that apply to the individual under this paragraph.

# Wilfred Laurier University

## 8.1 Conflict of Interest Policy

Approving Authority: President

Original Approval Date: June 8, 1995

Date of Most Recent Review/Revision: May 2, 2012

Office of Accountability: Office of the President

Administrative Responsibility: University Secretariat

### Purpose

1.00 The purpose of this policy is to educate the University community about possible conflicts of interest and to give guidance when a conflict of interest, (or potential perception of a conflict of interest), arises. Adherence to this policy should ensure employees will act fairly, equitably, and ethically in their actions, and the integrity of neither the University nor its employees be compromised.

### Definitions

2.01 A conflict of interest occurs when personal interests interfere, or are perceived to interfere, with the independent judgement required by employees in order to perform their duties and responsibilities in the interest of the University.

2.02 Employees include staff and faculty at the University.

2.03 Gifts and favours include tokens of appreciation, entertainment, travel, hotel accommodations, services for personal use, reduced prices for goods and/or services for personal use, and work done for the employee at home or elsewhere. Gifts and favours also include any hospitality or gifts given by an individual or organization in the hopes of garnering favour for the future purchase of products or services by a Laurier employee.

### Policy

#### 3.01 General

All members of the University shall:

- i. Avoid all forms of illegal discrimination;
- ii. Disclose any conflict of interest or other circumstances known to them which may reasonably introduce or appear to introduce bias into the performance of their University duties;
- iii. Respect the confidentiality of information they receive through the performance of their University duties about any other member of the University; such information may only be used or disclosed where such use or disclosure has the individual's consent, or is required in the performance of his/her duties as a member of the University.

### ***3.02 Declaring a Conflict of Interest***

A member of the University who has any interest, directly or indirectly, in any contract, transaction, proposed contract or proposed transaction under consideration by the University and is part of the decision-making process with respect thereto, shall:

- i. Declare the nature and extent of the interest as soon as possible and no later than any meeting in which the member participates and at which the matter is to be considered;
- ii. Refrain from taking part in any discussion or decision-making vote in relation to the matter;
- iii. Withdraw from any meeting when the matter is being discussed if requested to do so by a majority of the members present at the meeting;
- iv. Any personal information gathered about an Employee under this Policy shall be held in accordance with the principles outlined in [policy 10.1 Information Availability and Privacy Protection](#).

### ***3.03 Examples of Conflicts of Interest***

In particular, and without limiting the generality of the foregoing, unless specifically authorized by the President or by a Vice-President of the University after a full written disclosure of the conflict, members of the University shall not:

- i. With University funds or with funds administered by the University, knowingly authorize the purchase of equipment, supplies, services, or property from a source with which the employee, or any individual with

whom she/he has an immediate familial, marital, sexual or financial relationship, or material financial interest;

ii. Engage any individual with whom the employee has an immediate familial, marital, sexual or financial relationship in any capacity for which remuneration comes from University funds or from funds administered by the University;

iii. Employment and student assessments, reviews, appeals and other decision processes concerning a member's status as an employee or student, must be performed in an objective manner and on objective grounds and be seen to be so;

iv. No member of the University shall knowingly participate in any decision that directly and preferentially benefits himself/herself or any individual with whom the member has an immediate familial, marital, sexual or financial relationship.

### **3.04 Gifts**

i. While moderate hospitality is an accepted courtesy of a business relationship, recipients must not allow themselves to be (or perceived to be) influenced in making a business decision as a consequence of accepting such hospitality. As such, the frequency and scale should not be significantly greater than the University would be able to provide in return.

ii. Gifts and favours valued in excess of \$250 must not be accepted from individuals or organizations. This includes smaller gifts from one individual or organization that when totalled, is in excess of \$250 dollars over the course of a year.

iii. Gifts and favours valued in excess of \$250 must not be given utilizing university funds or facilities to individuals or organizations.

iv. Gifts using university funds will be treated as all other expenditures and as such, will require the necessary procedures for expenses to be followed.

3.05 Should members of the Laurier community be in doubt with regard to a particular situation, it is expected they bring the matter to the attention of their supervisors for consultation and advice.



# Canadian Broadcasting Corporation

## HUM-1 Conflicts of Interest

**Effective Date:** Oct 1, 2017

**Last update:** Feb 22, 2024

**Responsibility:** Vice-President, People and Culture

### 1. APPLICATION

This policy applies to all CBC/Radio-Canada employees. Individuals or companies who have a contract with CBC/Radio-Canada, including freelancers, independent producers, as well as service providers and consultants working on-site or on a CBC/Radio-Canada project, are expected to abide by the provisions of this policy that are reasonably applicable to them.

Governing policies and procedures for unionized employees found in the applicable collective agreements apply if they differ from the current policy. Journalists and other employees involved in producing journalistic content may have additional obligations beyond what is covered by this policy (see the *Journalistic Standards and Practices*).

### 2. DEFINITIONS

*Activity in competition:* activity conducted with another media organization or with another person or entity, or on one's own, for the purpose of producing, creating or broadcasting content or products similar to those of CBC Radio-Canada's on its different platforms.

*Close personal relationship:* a close personal relationship can be a close friend or other type of relationship that, if known, could be reasonably perceived as impacting an employee's objectivity, impartiality or independence or leading to favoritism.

*Conflict of interest:* Occurs when an employee's personal interests, those of a family member or those of someone with whom he/she has a close personal or business relationship, affect or might affect his/her judgment or ability to carry out his/her duties at CBC/Radio-Canada with objectivity, independence and impartiality.

*Employee:* All CBC/Radio-Canada employees, regardless of their status (permanent, contract, temporary or short-term).

*Family member:* Spouse or common-law partner, brother or sister, parent, child, grandparent, aunt, uncle, nephew, niece, grandchild, parent-in-law, brother or sister-in-law, child-in-law, stepchild, stepbrother or stepsister, and stepparent.

*Hospitality:* Food, beverages and accommodations provided by third parties.

*Manager:* The non-unionized person to whom an employee hierarchically reports.

*Outside Employment or Activities:* Involvement in activities or work (paid or unpaid) performed by an employee outside of his/her duties at CBC/Radio-Canada. This includes volunteer activities.

*Perceived conflict of interest:* Occurs when people could reasonably conclude that a conflict of interest exists, even if this is not the case.

### 3. OBJECTIVE

To outline how employees and CBC/Radio-Canada must handle situations and behaviours that could lead to either a conflict of interest or a perceived conflict of interest.

### 4. STATEMENT

All employees of CBC/Radio-Canada have an obligation to carry out the functions and activities of their position with the highest level of integrity and independence, in a professional and ethical manner. They must ensure they avoid or remove and immediately disclose to their manager any conflict of interest or any situation that could reasonably be perceived as a conflict of interest.

While this policy details certain behaviours that can lead to either a conflict of interest or a perceived conflict of interest, it is impossible to foresee every situation that could give rise to one. Employees may also find themselves inadvertently in a situation that leads to a conflict of interest or that could be perceived as such. These situations must also be disclosed.

Adherence to this policy is a condition of employment. Failure to comply with it may result in disciplinary action, up to and including immediate dismissal.

#### ► 4.1 Personal Interests



Employees must ensure that no conflict exists or could appear to exist between their personal interests and those of CBC/Radio-Canada or their official duties.

Employees must not:

- Use their position or their connections at CBC/Radio-Canada to further their personal interests or those of a family member or someone with whom they have a close personal or business relationship;
- Use CBC/Radio-Canada programs, premises, equipment, supplies or the services of other employees to further their personal interests;
- Use confidential information for their personal advantage either during or after their employment with CBC/Radio-Canada;
- Place themselves in a position where they could derive any direct or indirect benefit from a CBC/Radio-Canada commercial transaction (e.g., provider of goods or services, freelance contract, licence, sponsorship or partnership);
- Give preferential treatment to any supplier or other person doing business with CBC/Radio-Canada in order to further their personal interests;
- Invest in, own, have an interest in, or be an employee of an organization that might have an interest, direct or indirect, in any CBC/Radio-Canada commercial transaction, except in the case of a widely held public company whose dealings with CBC/Radio-Canada do not represent a substantial portion of its total business;
- Solicit suppliers of goods and services or business partners of CBC/Radio-Canada to provide gifts, prizes or other financial assistance for personal or employee activities.

In addition, on-air personnel, journalists and other employees involved in producing journalistic content, as well as members of the Senior Executive Team (SET), the Executive employees reporting directly to them, and Communications employees representing CBC/Radio-Canada in its relations with its various audiences have a special role in preserving our objectivity, impartiality and independence, and therefore our credibility, due to the nature of their duties. Therefore they must not take a public stand on controversial issues, either in person or using social media, unless specifically authorized in writing,

before the fact, by the component VP or, in the case of the Executive Team, by the President.

Persons engaged by the Corporation expressly for their reputation regarding a particular subject or to express opinions may however be permitted to take a stand on public controversies, by inclusion of a clause to that effect in their individual contracts.

This should not be interpreted as an exhaustive list of all circumstances that could lead to a real or perceived conflict of interest.

#### ► 4.2 Relationships and Nepotism

Employees must not give, or be perceived to give, preferential treatment to a family member or someone with whom they have a close personal or business relationship. In some situations, past relationships could also lead to a perceived conflict of interest and should be treated as such.

If an employee is in a position where he/she could be making a decision (e.g., hiring, evaluation, discipline, promotion, reward, any other form of discretionary control, or the awarding of a contract) that involves, directly or indirectly, a family member or someone with whom the employee has a close personal or business relationship, he/she must:

- Disclose the potential conflict to his/her manager
- Refer the decision to the manager or someone designated by him/her
- Refrain from making any recommendations or conveying views related to the decision.

In addition, if an employee is in a position of authority over a family member or a person with whom he/she has a close personal or business relationship, his/her manager must modify the reporting relationship. The manager may also take other measures to reduce the appearance of conflicts of interest, as necessary.

#### ► 4.3 Outside Employment or Activities

Employees are permitted to engage in outside employment or activities as long as they inform their manager prior to starting such activity, and to the extent that;

- it does not cause, or could not be perceived to cause, a conflict of interest;
- it could not be reasonably perceived as compromising the integrity, independence and impartiality expected from CBC/Radio-Canada or bring CBC/Radio-Canada into disrepute;
- it does not include activities in competition with those of CBC/Radio-Canada. This does not apply to temporary employees, as long as they are not on-air or in a management position, either for CBC/Radio-Canada or for the competitor);
- it does not inappropriately exploit the employee's connection with CBC/Radio-Canada;
- it does not disrupt their regular assignments or scheduled work;
- it does not restrict their availability or efficiency;
- it does not involve acting as a spokesperson for another organization;
- in the case of on-air personnel, it does not constitute or appear to constitute a personal endorsement of a product, service, or charity.

Employees are permitted to act as board members of an organization external to CBC/Radio-Canada, if their participation meets the criteria above, and if authorized by their manager beforehand. Employees may also act as board members for an organization involved in a commercial transaction with CBC/Radio-Canada, if previously authorized by their manager to do so, as long as they have no personal interest in the organization, financial or otherwise, and if they agree beforehand, in writing, to recuse themselves from any discussion or decision that could involve CBC/Radio-Canada.

However, because of the nature of their duties, and in the interest of the Corporation, members of the Senior Executive Team (SET), the executive employees reporting directly to them, and Communications employees representing the Corporation in its relations with its various audiences may not act as Board members for private corporations and publicly traded companies, unless explicitly authorized by the President and CEO to do so. They are however encouraged to sit on non-profit Boards, as long as their participation meets the criteria above regarding outside activities.

Employees may be permitted to write books or work on other creative projects that are not in competition with CBC/Radio-Canada as long as they respect the criteria for outside activities mentioned above, and obtain prior written authorization from their manager.

If the manager considers the outside activity to be inappropriate, considering the criteria mentioned above, he/she informs the employee in writing and the employee must avoid, discontinue or modify his/her participation in such activities accordingly. Disclosures and their assessment by the manager must be documented.

#### ► 4.4 Invitations to Speak, Moderate Debates or Host an Event

Employees are permitted to accept an invitation to speak, moderate debates, be a panelist, host an event, be interviewed as an expert on a topic or take part in other public appearances of this nature, if they have obtained prior written permission from their manager and the situation respects the criteria mentioned in section 4.3.

In cases where the organizers offer to cover travel costs and hospitality, the manager must determine if this is appropriate, according to the provisions of this policy.

Some areas of the organization are subject to stricter rules than those mentioned above. On-air personnel and journalistic employees in general should refer to policies specific to their areas, as well as the [Journalistic Standards and Practices](#), for additional specific conditions that may apply to them. More particularly, given that paid appearances, in the situations covered by this section, can have an adverse impact on the Corporation, CBC/Radio-Canada does not allow paid appearances by its on-air or digital journalistic employees, except if pre-authorized in writing by the General Manager of News or his/her delegate because they consider them to be in the interest of the Corporation. These exceptions must also respect the criteria mentioned in section 4.3 to be authorized. CBC/Radio-Canada discloses all appearances on its websites.

#### ► 4.5 Accepting Gifts, Hospitality and Other Benefits

Accepting a gift, a benefit or an offer of hospitality for oneself or for a colleague, family member or friend can lead to uncomfortable situations or to real or perceived conflicts of interest.

Because of the possible impact on their credibility, journalists and employees involved in producing journalistic content should avoid accepting gifts, benefits, free travel or hospitality, except as permitted in the [Journalistic Standards and Practices](#).

Other employees may occasionally accept unsolicited gifts, hospitality, free travel, tickets, or invitations to sports or entertainment events (e.g., hockey game, round of golf, theatre show or concert) or other benefits, but only if they have a value of \$200 or less, subject to the conditions expressed below. It is also permitted to occasionally accept a working meal of reasonable value paid for by a third party.

However, employees must not accept gifts, hospitality, free travel, tickets, or invitations to sports or entertainment events or any other benefits:

- That could influence, or be perceived to influence, their judgment and/or their performance of duties;
- That are offered by a business partner and/or supplier of goods or services involved in an active request for proposal, sole source contract procedure or contract discussions, or in the six months following such a process, or as soon as they know such a process will begin in the near future;
- That are offered by a business partner and/or supplier whose performance the employee is evaluating;
- That are cash, loans, discounts or work rendered free of charge for personal purposes;
- If the total value of what has been received from the same source within a 12 month period would exceed \$400.

In circumstances where refusing a gift worth more than \$200 would prove rude or problematic, an employee is permitted to accept it; however, it becomes the property of CBC/Radio-Canada and must be handed over to the employee's manager, who must decide how best to dispose of it.

Employees must also refuse invitations to a conference or other formal gathering not mentioned above, organized or sponsored by an external party, a supplier, potential

supplier or business partner, unless their manager determines that their attendance at such an event would not compromise or appear to compromise the objectivity, independence, impartiality or integrity of the employee or CBC/Radio-Canada.

See also [FIN-10 Employee Related Expenses and Reimbursements](#).

## 5. RECORDS OF DISCLOSURE

Employees must immediately disclose any conflict of interest or any situation that could reasonably be perceived as a conflict of interest to their manager, using the [online declaration process](#).

The manager must then assess if the situation respects this policy. His/her response to the employee must be in writing, using the [online declaration process](#), and include any conditions he/she might set or measures to be put in place to mitigate the conflict or possible appearance of a conflict of interest.

Managers who need guidance on a particular situation can contact their own manager, the Values and Ethics Office or, if the situation is related to the [Journalistic Standards and Practices](#), the person appointed by the general manager of news to act as JSP advisor.

## 6. AUTHORIZATION OF EXCEPTION

Exceptions to the policy may occasionally be authorized when the interests of the corporation are clearly better served.

All requests for exceptions to this policy must first be submitted to the employee's manager for approval. If the manager agrees to the request for an exception, he/she must submit the request, in writing, to the Values and Ethics Office, accompanied by the reasons why such an exception could be considered legitimate. The Values and Ethics Office will analyze the situation and provide recommendations to the component's Vice-President.

After receiving these recommendations, the Vice-President approves or denies the exception and informs the Values and Ethics Office, the person requesting the exception, and the manager of his/her decision in writing. The manager must send a copy to Shared Services to be placed in the employee's file.

If the request is granted, some conditions may apply. The period of time or specific circumstances for which the permission is granted may also be specified.

## 7. TOOLS

- [Conflict of Interest Declaration Portal](#)

## 8. HISTORY

This policy came into effect on October 1<sup>st</sup>, 2017.

It was updated on September 1<sup>st</sup>, 2018.<sup>(m)</sup> This update pertained to the following sections:

- Definition of "close personal relationship";
- Additional examples of "commercial transactions" ;
- Clarification regarding temporary employees, in the paragraph about working for competitors
- Clarification in the section about outside activities, regarding employees writing books;
- Clarification of the processes mentioned in the policy.

It was updated on March 4<sup>th</sup>, 2019. This update pertained to section 4.4 *Invitations to Speak, Moderate Debates or Host an Event*.<sup>(m)</sup>

It was updated on October 24<sup>th</sup>, 2019. This update pertained to the addition of a definition: *Activity in competition*.<sup>(m)</sup>

It was updated on May 6<sup>th</sup>, 2020. This update pertained to section 4.3 *Outside Employment or Activities*.<sup>(m)</sup>

It was updated on February 22, 2024. This update pertained to the transition from Values and Ethics Commissioner to Value and Ethics Office.<sup>(m)</sup>

## 9. INQUIRIES

All questions pertaining to the interpretation or application of this policy should be referred to the Values and Ethics Office at [values-ethics@cbc.ca](mailto:values-ethics@cbc.ca).

## APPENDIX A - QUICK TESTS KNOW WHEN TO SAY NO

### GIFTS: KNOW WHEN TO SAY NO

- 1 Does the value exceed \$200?
- 2 Is it cash or an equivalent (such as a loan or discount)?
- 3 Could it reasonably be perceived as a bribe or other improper payment?
- 4 Is it given to influence a decision or create an obligation on your part, now or in the future, or could it be perceived as such?
- 5 If subsequently disclosed to the public, could it jeopardize your credibility or the reputation of CBC/Radio-Canada?

***IF THE ANSWER IS YES, SAY NO!***

### PERCEPTION OF CONFLICT OF INTEREST QUICK TEST

- 1 Could this situation be perceived by others, inside or outside the organization, as affecting your objectivity, independence or impartiality in the execution of the tasks related to your position, now or in the future?
- 2 Could it be perceived as leading you to favour your interests or those of a person close to you rather than the interests of CBC/Radio-Canada?
- 3 Could it be perceived as leading you, or CBC/Radio-Canada, to favour a given contractor or another organization?
- 4 Could the situation be perceived as you using your position for personal gain?
- 5 Could it be perceived as calling into question the independence, impartiality and objectivity of CBC/Radio-Canada itself in the eyes of the public or other interested parties?

***IF THE ANSWER TO ANY OF THESE QUESTIONS IS YES, AVOID IT!***

**DOES THE PROPOSED ACTIVITY COMPETE WITH THOSE OF CBC/RADIO-CANADA?**



- 1 Is the activity's purpose to produce, create or broadcast products or content similar to those of CBC/Radio-Canada, on any of our platforms?
- 2 Is it for the benefit of another media organization?
- 3 Is it done with the cooperation of a person or organization that produces or broadcasts products similar to those of CBC/Radio-Canada?
- 4 Does it include news, current affairs or public affairs content or any form of reporting?
- 5 Would it entail having interviews with people that might potentially be interviewed by CBC/Radio-Canada?

**IF YOU'VE ANSWERED "YES" TO ANY OF THESE QUESTIONS,  
THE ACTIVITY SHOULD NOT BE PURSUED**  
(unless it is part of an official cooperation between CBC/Radio-Canada and the  
other organization)

**IF IN DOUBT, CHECK WITH YOUR MANAGER.**

