



POLICY: Conflict of Interest		POLICY NUMBER: CC-4
		PREVIOUS/REPLACES: Conflict of Interest
APPROVED BY: Executive Council	EFFECTIVE DATE AS OF: October 6, 2022	PRIOR VERSIONS: October 12, 2021 November 21, 2018 March 13, 2017 August 18, 2015

1. Policy Statement:

The Manitoba Institute of Trades and Technology (to be referred to as MITT) believes that all employees occupy positions requiring public trust and confidence and are expected to carry out their duties and responsibilities professionally, and impartially.

Actual, potential or perceived conflicts of interest do arise periodically. It is essential that all employees understand how to determine when there is a conflict and what to do in such a situation. If a conflict of interest is disclosed, the employee will be required to sign a declaration upon request by MITT.

This policy is intended to establish guidelines regarding conflict of interest which will serve to safeguard the public interest by providing clear standards of employee conduct and to ensure that any conflicts are consistently managed. These guidelines and their application are intended to assist in preventing employees from using, or appearing to use, their employment for private gain or to promote the commercial or partisan interests of any person, business, or institution.

Principles:

MITT supports the right of employees to be involved in community projects and activities as citizens of the community. However, if there is an actual, potential or perceived conflict of interest the employee must receive written authorization from a member of the executive.

Employees should bear in mind that public institutions are entrusted with the protection of the public interest in many significant areas of society. In view of the importance of this trust, it is essential that employees maintain high standards of honesty, integrity, impartiality, and conduct. Employees must constantly be aware of the need to avoid situations which might result in actual or apparent misconduct or conflicts of interest, and to conduct themselves accordingly.

For these reasons, employees shall at all times abide by the standards of official and personal conduct set forth in this policy.



Whether or not specifically prohibited by these rules, employees shall avoid acting in any manner which might result in or create the appearance of using their employment for private gain. When a conflict of interest exists, the interest of the public supersedes those of the employee.

Employees shall not engage directly or indirectly in any personal business transaction or private arrangement for personal profit which accrues from or is based upon their official position or authority at MITT, or upon confidential or non-public information which they may gain as a result of their position or authority.

Employees shall not participate in any official capacity where there is a personal interest which is incompatible with or prohibits their ability to remain unbiased within the context of their official position.

Employees shall remain impartial at all times towards individuals who deal with MITT or the board and avoid taking any actions that may result in preferential treatment for any individual.

Employees shall not have direct or indirect personal business or financial activities which conflict with their official duties and responsibilities.

Employees shall not place themselves in a position where they are under obligation to any person or organization who might benefit from this relationship.

Employees are responsible to disclose to their respective manager any situation or matter where they have a conflict of interest or a foreseeable potential for conflict of interest. If the employee is unsure if they have a conflict of interest they should contact their immediate manager for clarification and if further discussion is required People Services should be included in the conversation.

Formal disclosure statements are to be made by the employee in writing upon starting employment at MITT by completing the attached conflict of interest disclosure form. If no conflict is declared, the form should be submitted to the employee's respective manager for signature. If a conflict is declared, the form should be signed both by the respective manager and Executive Council representative. In all cases, the completed signed declaration is to be forwarded to People Services addressed as "confidential" to be added to the employee's file. The employee may be asked for additional information to help determine if a conflict does exist.

In the case of disclosure of an actual, potential or perceived conflict of interest, employees will be required to review and update if necessary their declaration annually, and will be advised of other steps, if any, that must be taken.

Executive officers of the board and any other employees with institutional signing authority or other fiduciary responsibility to the institution must sign the declaration of conflict of interest annually.



People Services is responsible to notify employees initially and annually where required about the Conflict of Interest policy and requirement to sign the declaration.

Failure to disclose a potential or existing conflict of interest may result in disciplinary action up to and including termination of employment.

All disclosure statements will be treated with strict confidentiality.

Note: Application of the guidelines respecting conflict of interest is neither grievable nor arbitrable.

Examples of Conflicts of Interest:

Conflicts of interest can take many forms. Listed below are some situations which may lead to a conflict of interest. It is not intended to be all-inclusive.

- An employee authorizing, influencing or participating in a purchase decision administered by MITT that could personally benefit the employee, a family member of the employee, or an individual with whom the employee has a close personal relationship.
- An employee participating or attending a meeting or discussion where the employee may have a personal financial interest and/or personal financial interest assets or holdings are in conflict with any decision, information or other matter related to the interests of MITT.
- An employee participating in the promotion, hiring, recruitment, or evaluation of a family member or an individual with whom the employee has a close personal relationship.
- Any relationship between an employee and a student that impedes or compromises the employee's ability to remain impartial.
- An employee who accepts a gift or gratuity that contravenes MITT's Acceptance of Gifts Policy.
- An employee who uses MITT resources or confidential information for their personal gain or for the benefit of family or friends.
- Receiving payment from an outside source for work that is part of the employee's duties.
- An employee using MITT resources for private purposes without the explicit approval of their manager or any member of the Executive Council is prohibited.



- An employee participates as a researcher on an MITT collaborative research project with an external company in which the employee has an ownership position.

2. Scope:

This policy applies to all employees of MITT and mandates disclosure of any conflict of interest which currently affects them, even if the origin of the situation or interest predates the policy.

3. Procedure: N/A

4. Administration:

The Director, People Services and Organizational Development in conjunction with Executive Council is responsible for the enforcement of this policy.

5. Review:

This policy will be reviewed by Executive Council every 5 years.

6. Reference:

Code of Conduct & Staff Ethics Policy
Purchasing Policy
Use of MITT Equipment
Use of College Services
Hiring Practices - Nepotism
Acceptance of Gifts by Employees
Research and Innovation
Integrity in Research and Scholarship
Administration of Research
Intellectual Property

7. Definitions:

Conflict of interest - Arises in a situation in which an actual, potential or perceived conflict exists that could impair personal judgment and objectivity when undertaking institutional responsibilities. An actual conflict of interest involves a direct conflict between current duties and responsibilities and existing private interests. A potential conflict arises where private interests could conflict with official duties. A perceived conflict exists where it could be perceived, or appears, that private interests could improperly influence the performance of duties - whether or not this is in fact the case.



Family Member – A family member is a husband, wife, (includes common-law wife and husband), son, daughter, brother, sister, mother, father, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, niece, nephew, aunt, uncle, grandparent, grandchild, step-child, step-sister, step-brother, or step-parent, and includes any other member of an individual's family who resides in the same household as the individual.



**DECLARATION OF CONFLICT OF INTEREST
FOR EMPLOYEES**

Part A – Declaration of Conflict of Interest

_____ **1. To the best of my knowledge, I have no situations or associations that would place me in an actual, potential, or perceived Conflict of Interest in my duties as an employee at the Manitoba Institute of Trades and Technology.**

Position and Name: _____

Signature: _____

Date: _____

Manager’s Signature: _____

Date: _____

_____ **2. I may be in a situation or association which places me in an actual, potential, or perceived Conflict of Interest arising from my duties as an employee at the Manitoba Institute of Trades and Technology. I would like to declare the following:**

If more space is required, please attach an appendix.



Position and Name: _____

Signature: _____

Date: _____

Manager's Signature: _____

Date: _____

Executive Council Representative Signature: _____

Date: _____



Part B – Record of Resolution

With respect to the above declaration, the following has been determined :

(name of person making the declaration) should refrain from performing or getting involved in performing the work/duty as described in Part A, which may give rise to a conflict of interest.

(name of person making the declaration) may continue to handle the work/duty as described in Part A, provided that there is no change in the information declared above.

Other (please specify)

Manager's Signature: _____

Executive Council Member's Signature: _____

Date: _____