



POLICY: Off-Duty Conduct by Employees		POLICY NUMBER: CC-5
		PREVIOUS/REPLACES: Off-Duty Conduct by Employees
APPROVED BY: Executive Council	EFFECTIVE DATE AS OF: March 13, 2017	PRIOR VERSIONS: December 2, 2015

1. Policy Statement:

In general, an employee’s off-duty conduct is separate from their work life and not of concern to the Manitoba Institute of Trades and Technology (to be referred to as MITT). However, in some situations an employee’s off-duty conduct may become a legitimate concern to MITT, resulting in disciplinary action up to and including dismissal.

The purpose of this policy is to outline when an employee’s off-duty conduct may result in disciplinary action from MITT.

Off-Duty Conduct:

MITT employees are expected to refrain from engaging in any off-duty conduct or communications (including, but not limited to, social media) that may:

- Harm MITT’s reputation, product or services;
- Render the employee unable to perform their duties effectively or to the satisfaction of MITT;
- Make co-workers unwilling, unable or reluctant to work with the employee;
- Constitute a serious breach of the *Criminal Code of Canada*, rendering their conduct injurious to MITT’s reputation and its employees; and/or
- Make it difficult for MITT to properly carry out its operations or direct its workforce.

Determination of whether an employee has engaged in off-duty conduct warranting discipline will depend on an assessment of all of the above factors – though any one factor may provide a foundation for discipline. In considering the above factors, MITT may assess, amongst other considerations, whether there is a connection between the off-duty conduct and the interests of MITT; the impact of the off-duty conduct on the employment relationship with MITT; the impact of the off-duty conduct on MITT’s reputation; and the seriousness of the off-duty conduct itself.

Should disciplinary action be considered necessary by MITT, MITT will endeavor to consider all relevant circumstances in order to determine the appropriate penalty, including but not limited to: the employee’s length of employment; the employee’s disciplinary record; the nature of the employee’s position; the degree of trust inherent in the employee’s position; the employee’s response when confronted with the off-duty conduct; and any other factor MITT considers relevant.

As set out above, an employee’s off-duty conduct may result in disciplinary action up to and including termination of employment.



2. Scope: All employees of MITT.

3. Procedure:

If a manager, co-worker, or any other employee of MITT has concerns that off-duty conduct of an employee is inappropriate and may negatively impact the reputation of MITT, they should immediately contact the Director of People Services and Organizational Development who will then decide if any further action needs to be taken. All conversations will be kept strictly confidential.

4. Administration:

The Director of People Services and Organizational Development is responsible for ensuring that this policy is adhered to.

5. Review:

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

6. Reference:

Code of Conduct and Staff Ethics Policy
Progressive Discipline Policy
Respectful Workplace, Harassment Prevention and Non-Discrimination Policy
Collective Agreement
Millhaven Fibres Limited Case