

Policy Title: Conflict of Interest and Conflict of Commitment

Category:	<input type="checkbox"/> Institutional - Board <input type="checkbox"/> Academic - Administrative <input checked="" type="checkbox"/> Institutional - Administrative <input type="checkbox"/> Employment - Administrative		
Approved by:	<input type="checkbox"/> Board <input checked="" type="checkbox"/> President		
Date approved:	November 25, 2021	Effective date:	November 25, 2021
Policy Sponsor:	Vice President, Administration and Finance; Dean, Undergraduate and Graduate Education (co-sponsors)	Date last reviewed:	November 25, 2021
Date of Mandatory Review (expiry date):	November 2026	Date of last revision of Procedures:	November 25, 2021

1. POLICY

1. Employees are to vigilantly guard against potential, actual, apparent and the appearance of conflicts of interest and conflicts of commitment, and to disclose and address any conflicts promptly.
2. No employee is to participate in any CMCC decision that directly, indirectly or preferentially benefits the employee, or a person with whom the employee has a relationship.
3. No employee is to participate in any CMCC academic decision directly affecting a person from whom they stand to derive a financial or personal benefit or with whom the employee has a relationship.
4. Employees must disclose to their supervisor any relationship with a CMCC student or employee which may compromise or be perceived to compromise their role. Disclosure, and approval by the appropriate Vice President, subject to any appropriate conditions, is required before an employee.
 - a. teaches, supervises or evaluates a student or employee with whom the employee has a direct or indirect relationship.
 - b. shares a financial interest with a CMCC student(s) or employee(s).

- c. acts as a researcher, employer (including a future financial relationship within a professional environment such as an associate), consultant or advisor for a student(s) or employee(s) in connection with any activities unrelated to the student's academic program or the employee's employment with CMCC.
- 5. No employee is to knowingly authorize the purchase of equipment, supplies, services or real property, or to engage any individual with whom the employee has a relationship in any capacity, that is to be paid for using CMCC funds or funds administered by CMCC unless authorized in writing by the appropriate Vice President.
- 6. Employees are to be aware that an intimate personal relationship with a student or other employee may be contrary to professional statutory responsibility, inappropriate, and may constitute or give rise to a claim that the relationship constituted sexual harassment.
- 7. No employee is to supervise any employee with whom they have a personal relationship, and is to immediately disclose any such potential conflict to the appropriate Vice President, who is to review the circumstances and may reassign duties.
- 8. Professional activities that demonstrate an actual or perceived conflict of commitment to CMCC, whether paid or unpaid, are not to interfere with or prevent the due discharge of duties, obligations, and responsibilities to CMCC, and are subject to the following conditions:
 - a. If an employee's outside activities involve any use of CMCC's facilities, supplies and/or services, their use is to have prior approval by CMCC. The cost for such facilities, supplies or services is to be borne by the employee at prevailing rates as established from time to time by CMCC.
 - b. CMCC's approval as set out above does not signify that such activities in any way constitute part of an employee's obligations under their employment with CMCC, nor that CMCC supports, condones, or is in any way affiliated with such activities.
 - c. If an employee is considering an external activity which has the potential to interfere with their CMCC duties and responsibilities, they are to disclose the details of the activity in writing and seek prior approval to undertake them.
- 9. No employee or member of the employee's immediate family is to accept, from any individual or organization doing business or competing with CMCC, any payment or compensation whatsoever or any gift, entertainment, hospitality or other favour of more than token value.
- 10. No employee in a position of power over another employee or student shall use their position in an inappropriate manner whatsoever, including but not limited to having a personal, intimate or business relationship. If there is any doubt as to

the existence of a relationship; the potential or actual conflict of interest; or inappropriate behaviour, the employee is to obtain direction from the appropriate Vice President. Consent by an employee or student is not a defense to acting in contravention of this Policy. CMCC will make every effort to ensure that there is no abuse of power or apparent or actual conflict that could otherwise be considered misconduct.

11. All notices, requests, directions and approvals relating to a Conflict of Interest or Conflict of Commitment are to be set out in writing. Verbal notices, requests, directions and approvals are neither sufficient nor valid.

2. PURPOSE

To identify and address potential, actual, apparent and the appearance of conflicts of interest and conflicts of commitment and to provide procedures whereby conflicts are disclosed and avoided or appropriately managed.

3. SCOPE

All employees.

4. INFORMATION AND COMPLIANCE PLANS (not a comprehensive list)

- Council on Chiropractic Education Canada (CCEC) Program Standards for the Doctor of Chiropractic Degree Program – Canada
- Council on Chiropractic Education (CCE) Accreditation Standards

5. RELATED POLICIES (not a comprehensive list)

- Code of Conduct – Employees
- Discipline – Employees
- Expenditure Authorization
- Nepotism

6. DEFINITIONS

Conflict of Commitment is the exercise of professional expertise outside of an employee's responsibilities and time commitments to CMCC, which may be on either a remunerative or non-remunerative basis, that interferes with or prevents the due discharge of duties, obligations, and responsibilities to CMCC.

Conflict of Interest definition:

- An actual or perceived conflict of interest arises where an employee's financial or other personal interest, or that of any person with whom the employee has a relationship, conflicts or appears to conflict with the employee's responsibility to

CMCC or may result in financial gain or other benefits flowing directly or indirectly to the employee.

- An actual or perceived conflict of interest also includes a business or intimate personal relationship between an employee and a student or between employees which may compromise, interfere with, or be perceived to compromise an employee's responsibility to fulfill their role and responsibilities in a fair and objective manner.

A relationship means any tie an employee may have to persons that, by nature of their personal or professional acquaintance at the relevant time or during the preceding three years may, or be perceived to, result in preferential treatment or access.

Position of authority/power may exist by reason of a person's position/role in an organization, whereby they are able to exercise significant influence over another person.

Token value is a symbolic or minimal value such as an exchange of gifts between colleagues; an exchange of hospitality between persons doing business together; or a presentation of small gifts to persons participating in public functions.

New Policy Approved (date):	July 2008 Gifts, Favours and Entertainment – Feb 2012
Policy Revision History (dates):	August 31, 2017 November 25, 2021—includes Gifts, Favours and Entertainment

-----**END OF POLICY**-----

7. PROCEDURES

Commercial Transactions

1. An employee, subject to 2. below, who has any direct or indirect interest in any commercial contract, transaction, proposed contract or proposed transaction under consideration by CMCC and participates in any decision related to these matters is to:
 - a. declare to the appropriate Vice President the nature and extent of the interest as soon as the employee reasonably ought to have known of the conflict and no later than the meeting(s) at which the matter is to be considered.
 - b. Withdraw from the meeting where the matter is being discussed.
 - c. Refrain from taking part in any other discussion of the matter.
 - d. Refrain from voting or influencing the vote on the matter.
2. Following receipt of disclosure provided for the above, and after consultation with the employee, the appropriate Vice President is to determine, based on the

nature of the disclosed conflict and the criteria above whether an actual or potential conflict exists and, if so, decide how it may be resolved. The Vice President is to notify the employee in writing of the decision on the matter as soon as reasonably possible.

External Activity

1. If an employee is considering an external activity which has the potential to interfere with their CMCC duties and responsibilities, they are to disclose the details of the activity and seek approval to undertake such activity in accordance with the steps set out below. The disclosure is to be in writing to the appropriate Vice President and is to include, but not be limited to:
 - a. a description of the nature of the activity.
 - b. an estimate of the time required to perform the activity.
 - c. an estimate of the extent, if any, of the use of CMCC facilities, supplies, employees or students.
 - d. full disclosure of any other external activities that have already been approved and which are continuing.
 - e. an estimate of the impact such activity will have on the employee's responsibilities and workload at CMCC including but not limited to, teaching, research, and service responsibilities.
 - f. full disclosure, in writing, of any external compensation to be realized for such activity, especially as it relates to any overlap of time commitment and duties normally a part of the employee's scheduled or assigned time and responsibilities.
2. Recognizing that such professional activities may bring benefits to, and enhance the reputation of CMCC and the employee, the appropriate Vice President is to evaluate the request to determine to what extent the activity will benefit and enhance CMCC's reputation, operations, and image and balance that against the possible impact on the fulfilment of the regularly assigned duties and responsibilities of the employee or CMCC in general.
3. A written decision is to be sent to the employee within 14 calendar days of receipt of the request. If approval is denied or offered only on conditions, the reasons for the decision are to be included.
4. If the requested activity would negatively impact on the fulfilment of the employee's duties and responsibilities or CMCC in general, the appropriate Vice President may require, as a condition of granting approval, that the employee reduce their workload and responsibilities for the duration of the outside activity. This would result in a corresponding reduction in compensation. The alternative

is for the employee to request a Leave of Absence without pay or to utilize any accrued vacation.

5. If there is remuneration from an activity funded by sources other than CMCC that arises from these activities the following options are available:
 - a. Subject to prior approval by CMCC, continue to be paid through CMCC payroll and reimburse CMCC any monies received for this activity directly by cheque or through accounting and payroll arrangements.
 - b. request a Leave of Absence without pay or vacation for the period of the activity.
6. All information or reports disclosed in accordance with this process are to remain confidential in the employee's file in Human Resources, however, CMCC may use such information in a generic fashion after ensuring the removal of specific information that may denote any specific individual.

Gifts

1. Employees are to report to their manager or the appropriate Vice President, within 24 hours, any offer or receipt of any gift, favour and/or service to themselves or a member of their immediate family:
 - a. that is beyond a token value, particularly if it is clearly not acceptable or appropriate.
 - b. for direction if there is any doubt about the propriety of accepting.

Non-Compliance

1. Where an employee is alleged to be in non-compliance with this policy and/or procedures, an internal investigation will be undertaken through the office of the Vice President, Administration and Finance.
2. If appropriate and/or applicable, disciplinary steps may be taken in accordance with CMCC's Discipline Policy.

New Procedure Approved (date):	July 2008
Procedure Revision History (dates):	January 2019 November 25, 2021

8. ATTACHMENTS

None.