

CHAMPLAIN REGIONAL COLLEGE
OF GENERAL AND VOCATIONAL EDUCATION



POLICY ON
CONFLICT OF INTEREST AND NEPOTISM

This policy was adopted for the first time by Board of Governors' resolution number 1442 on February 19, 1993.

Article 1 PURPOSE AND PRINCIPLE

- 1.01 The purpose of this policy is to set a framework under which the Board and the College employees may operate while avoiding situations which may constitute a conflict of interest or nepotism.
- 1.02 No employee or member of the Board may, directly or indirectly, him/herself or through a relative or an associate, have any interest in any contract (including employment contracts), with the College, derive any advantage therefrom or accept any gift, remuneration or promise in connection with his/her duties. The previous clause does not apply to a member of the staff of the College with regard to his/her contract of employment.
- 1.03 No employee or member of the Board shall exert any direct or indirect influence by virtue of his/her position in the College with respect to the hiring of a relative or associate or the awarding of any contract.

Article 2 DEFINITIONS

- 2.01 The definitions set forth in Article 1.01 of By-Law Number 1 of the College, as well as those appearing in the other by-laws of the College, apply to the present policy. However, in the present policy, the following expressions mean:
 - "NEPOTISM": favouritism given to a relative in a transaction undertaken on behalf of the College;
 - "RELATIVE": the spouse, including common-law partner, as well as the father, mother, brother, sister, son, daughter, nephew, or niece of a person covered by this policy, as well as those of his/her spouse or common-law partner;
 - "ASSOCIATE": a business partner or other person who shares, either directly or indirectly, a business interest with a person covered by this policy;
 - "APPEALS COMMITTEE": a standing committee of the Board, consisting of three external members, that hears appeals

concerning policies adopted by the Board.

Article 3 SCOPE

- 3.01 This policy is subject to the Act, and to the by-laws of the College. Notwithstanding the preceding, this policy shall cover all transactions related to the College by-laws, and specifically to By-Law Numbers 4 and 5 concerning the management of human resources and finances.
- 3.02 Members of the Board and College employees, whether permanent or temporary, full-time or part-time, and any person acting as an employee of the College, are subject to this policy.
- 3.03 It is the responsibility of every person covered by this policy to disclose any situation which may constitute a conflict of interest or nepotism, and to withdraw from the decision-making process involved. Such disclosure shall be made to his/her immediate superior, or, in the case of a Board member, to the Executive Committee. Deliberate failure to do so constitutes just cause for disciplinary action, in the case of an employee, and disqualifies the offender for five years from being a member of the Board of a college, in the case of a Board member.

Article 4 SELECTION COMMITTEES

- 4.01 A member of a selection committee for a position in the College shall resign from the committee, upon the disclosure that a relative or associate is a candidate for the position in question.

Article 5 HIRING OF PERSONNEL

- 5.01 No person shall sign the authorization to hire or the employment contract of a relative or associate duly recommended for a position in the College. Such authorization or contract shall be signed by the immediate superior of the person, or, in the case of the Director General, the Chairperson of the Board.

Article 6 AWARDING OF CONTRACTS

6.01 No person shall sign, on behalf of the College, a contract which will benefit, either directly or indirectly, a relative or associate of that person. Such contract will be signed by the immediate superior of the person, or, in the case of the Director General, the Chairperson of the Board.

**Article 7 EXPENSE ACCOUNT STATEMENT
 APPROVAL**

7.01 No person shall approve, as a superior, an expense account statement of his/her own expenses nor those of his/her relative or associate.

Article 8 APPLICATION OF THIS POLICY

8.01 Any person who is unsure of the application of this policy shall consult with the Secretary General of the College. The Secretary General may, if deemed necessary, refer such consultation to the Appeals Committee of the Board.

8.02 Any person who becomes aware of a contravention of this policy shall inform, in confidence, the senior College officer at the location in question or may file a written and signed complaint with the Secretary General within ten (10) days of the discovery of such contravention. The Secretary General shall, within ten (10) working days of the receipt of such complaint, conduct an investigation and file a report with the Appeals Committee. The Appeals Committee shall have thirty (30) days in which to render a decision.

8.03 Decisions of the Appeals Committee will be in writing and will be presented at the next regular meeting of the Board of Governors.