

STANDARDS OF ETHICAL CONDUCT POLICY

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PURPOSE

This Policy is to set out the standards of conduct required of all Northern Lights College ('College') employees. The Policy clarifies the College's expectations of its employees and guides employees in identifying and resolving issues of ethical conduct and conflict.

SCOPE

This Policy applies to all employees of the College. Employees' obligations regarding confidential information continue after they have left the College.

This Policy will not interfere with the rights and obligations specified in collective agreements and employment contracts governing employees of the College. Where there is an inconsistency between a collective agreement or employment contract and this Policy, the collective agreement or employment contract shall prevail to the extent of the inconsistency.

DEFINITIONS

Related Person: any individual with whom an employee has a familial, close personal and/or business relationship. Relationships include, but are not limited to, a spouse, common-law partner, partner, parent, grandparent, sibling, child, or any other familial relationship as defined under the Employment standards Act.

POLICY STATEMENTS

College is committed to promoting the highest standards of behavior by all employees and expects employees to act in an honest and ethical manner at all times.

Compliance with the Law

In the employment context, employees shall act in full compliance with both the letter and the spirit of all applicable laws and regulations and avoid any situation which could be perceived as improper or indicate a casual attitude towards compliance. If in doubt, employees are expected to ask Human Resources for clarification.

Professional Conduct

- a) The effective and efficient operation of the College depends on employees fulfilling their roles and responsibilities with the highest standards of conduct.
- b) Employees are expected to act honestly, in good faith and in the best interests of the College:
 - i. employees' conduct and language shall reflect social standards of courtesy, dignity, trust and respect.
 - ii. employees must avoid creating the impression of speaking or acting on behalf of the College when they speak or act as private persons.
 - iii. employees must ensure that their interactions and relationships with students, co-workers and any other individual who deals in any way with the College are appropriate at all times; and
 - iv. employees must not take credit for others' ideas or work, even in cases where the work has not been explicitly protected by copyright or patent.
- c) Employees are expected to perform their duties in a prudent and diligent manner:
 - i. employees must provide services within the boundaries of their competence, based on their education, training, professional experience and professional development; and
 - ii. employees must honestly and accurately represent their qualifications, educational backgrounds, experience and professional credentials.

Inappropriate Conduct

- a) Employees shall not engage in conduct that interferes with College operations and may be considered inappropriate by any reasonable standard. Such inappropriate conduct includes, but is not limited to:
 - i. conduct that creates disruption to the learning environment or impedes the instructional process or the delivery of College services;
 - ii. conduct that creates an atmosphere of hostility, intimidation, discrimination or disrespect for others.
 - iii. conduct that contradicts common standards or protocols of safety including regulations and protocols for classrooms, laboratories, the library and any other College facility, including those used in partnerships with other parties.

- iv. conduct of a violent or non-violent nature that endangers or threatens to endanger or subject any person, present on campus or facilities used in partnership with other parties, to physical, mental or verbal abuse, or potential injury.
- v. conduct that damages, defaces or destroys College property.
- vi. conduct that brings the College or any part of the College into disrepute; and/or conduct that violates the College's policies or rules.

Relationships with Students

Given the imbalance of power inherent in such relationships, employees who have influence, input or decision-making power over a student's marks, instruction, evaluation, academic interests or other matters shall not become involved in a business or inappropriate personal relationship (including romantic or sexual) with the student for the duration of the professional relationship or evaluative role. Engaging in such a relationship with a student can result in discipline up to and including termination of employment.

Relationships with Co-Workers

- a) Employees must ensure that social relationships with co-workers do not interfere with work performance or effective functioning of the workplace:
- i. employees who engage in personal relationships (including romantic or sexual) will be responsible for ensuring that the relationship does not result in, or raise concerns about, an abuse of power, harassment, favoritism, bias or an actual or perceived conflict of interest; and
 - ii. if an employee has a concern about the impact of their personal relationship at work, then the employee should discuss it with their Manager or Executive Director Human Resources to review the concern and determine what measures, if any, need to be taken to address the concern.

Conflict of Interest

- a) Employees are required to avoid any activity that creates an actual, potential or perceived conflict of interest with their employment or contractual obligations to the College. A conflict of interest is any situation in which an employee's personal interest interferes, or appears to interfere, with the College's interests or compromise the honesty and integrity of College's operations and decision making. Employees must not allow their private interests, whether personal, financial or of any other sort, to conflict or appear to conflict with their duties and responsibilities at the College. An actual, potential or perceived conflict of interest may exist in situations:
- i. that interfere or appear to interfere with the employee's judgment in making decisions in the best interest of the College.
 - ii. that create an excessive demand on the time and effort of the employee, depriving the College of the employee's best effort on the job.
 - iii. where an employee receives improper personal benefits as a result of their position with the College.
 - iv. where the employee uses their position with the College to pursue or advance their personal interest, the interest of a Related Person, employee, business associate, corporation, union or partnership, or the interests of a person to whom the employee owes an obligation; or

- i. otherwise may create or appears to create a situation where the employee's personal interests could conflict with the best interests of the College.
- b) There are a variety of situations that could give rise to a conflict of interest. Without limitation, the following are examples of the types of conduct and situations that can lead to a conflict of interest:
 - i. influencing the College to lease equipment from a business owned by a Related Person.
 - ii. taking personal advantage of an opportunity available to the College that the employee learned about through their position at the College, unless the College has clearly and irrevocably decided against pursuing the opportunity, and the opportunity is also available to the public.
 - iii. influencing the College to allocate funds to an institution where the employee or a Related Person or is involved.
 - iv. participating in a decision by the College to hire or promote a Related Person of the employee.
 - v. using their position with the College to solicit clients for their business, or a business operated by a Related Person.
 - vi. influencing the College to make all its travel arrangements through a travel agency owned by a Related Person.
 - vii. influencing or participating in a decision of the College that will directly or indirectly result in the employee's and/or a Related Person's own financial or other gain.
 - viii. providing the College's confidential information to competitors or other interested parties or using confidential information inappropriately; and
 - ix. accepting gifts, entertainment, favors or kickbacks from suppliers or other organizations.

Outside Business Interests

- a) Employees shall disclose potential, actual or perceived conflicts of interest arising from outside business activities at the commencement of their employment at the College or immediately upon the employee becoming aware of it. Such disclosure shall be made in accordance with the Procedures to this Policy.
- b) No employee shall hold a financial interest, either directly or through a Related Person or associate, or hold or accept a position as an officer or employee in an organization in a material relationship with the College, whereby virtue of their position in the College, the employee could in any way benefit the other organization by influencing the purchasing, selling or other decisions of the College, unless that interest has been:
 - a) fully disclosed in accordance with the Procedures to this Policy.
 - b) the College has determined an outcome accommodates the employee continuing to hold the interest.
- c) These restrictions apply equally to interests in companies that may compete with the College in all of its areas of activity.

Disclosure

- a) Full disclosure of conflicts of interest, including those arising from outside business interests, enables employees to resolve unclear situations and gives them an opportunity to dispose of conflicting interests before any difficulty may arise.

- b) At the time of appointment or start of employment each individual must disclose, in accordance with the Procedures to this Policy, all interests and relationships of which the employee is aware which will or may give rise to a potential, actual, or perceived conflict of interest.
- c) If, at any time during the course of their employment at the College, an employee believes they or a colleague is in a potential, actual, or perceived conflict of interest, an employee must immediately report it in accordance with the Procedures to this Policy.
- d) Disclosures of potential, actual or perceived conflicts of interest will be investigated in a confidential, fair and unbiased manner.
- e) The College will determine whether an actual or perceived conflict of interest exists or occurred and determine the appropriate outcome. Outcomes may include:
 - i. no action is required.
 - ii. implementing safeguards to avoid or mitigate the conflict; and
 - iii. disciplinary action, up to and including termination of employment.

Entertainment, Gifts and Favors

- a) It is essential to fair business practices that all those who associate with the College, as suppliers, contractors or employees, be treated fairly and without favoritism.
- b) Entertainment, gifts and favors may be accepted or offered by employees in normal exchanges common to and generally accepted in established business or professional relationships. Employees may only accept entertainment, gifts and favors in the following circumstances:
 - i. the transaction must be lawful.
 - ii. the entertainment, gift or favor is modest and would be considered by the business or professional community to be within the bounds of propriety and local ethical standards, taking into account all of the circumstances of the occasion.
 - iii. the entertainment, gift or favor must not create a conflict of interest or apparent conflict of interest;
 - iv. the exchange does not, nor is it expected to, create an obligation.
 - v. the exchange does not create an actual or apparent conflict of interest.
 - vi. it occurs infrequently; and
 - vii. the entertainment, gift or favor is not used for financial gain by the employee and/or a Related Person.
- c) Employees and Related Persons shall not accept entertainment, gifts or favors that create or appear to create a favored position for doing business with the College.
- d) Similarly, no employee shall offer or solicit entertainment, gifts or favors in order to secure preferential treatment for themselves or the College.
- e) Under no circumstances shall employees offer or receive cash, preferred loans, securities, or commissions in exchange for preferential treatment. Any employee experiencing or witnessing such an offer shall report the incident to their Manager immediately.
- f) Inappropriate gifts received by employees shall be returned to the donor.
- g) There must be full and immediate disclosure to the employee's Manager in all cases where there is uncertainty about the appropriateness of entertainment, gifts or favors and the direction of the Manager shall be followed.

Outside Remuneration

- a) Employees may be invited by other colleges, institutions, businesses, government agencies, community groups, etc. to engage in remunerative employment. The College encourages this participation in the community, providing that such ventures do not disrupt College services or impose a financial burden on the College.
- b) Employees may engage in remunerative employment with other employers, maintain businesses and receive remuneration from public funds for activities outside their position, provided that:
 - i. it does not interfere with the performance of their duties as an employee.
 - ii. it does not bring the College into disrepute.
 - iii. it does not represent an actual or perceived conflict of interest.
 - iv. it is not performed in such a way as to appear to be an official act of the College or to represent the College's opinion or policies and procedures; and
 - v. it does not involve College-paid time or the use of College premises, services, equipment, supplies to which an employee has access by virtue of their employment with the College.

Investment Activity

- a) Employees shall not, either directly or through a Related Person or associate, acquire or dispose of any interest, including publicly traded shares, in any company while having undisclosed confidential information obtained in the course of their work at the College which could reasonably affect the value of such securities.

Use of College Property

- a) Employees are entrusted with the care, management and cost-effective use of College property and assets, including the use of the College's name and intellectual property.
- b) Employees may not dispose of or purchase College property or assets except in accordance with policies and procedures established by the College.
- c) Employees may use property (does not include Facilities) owned by the College, excluding vehicles, for incidental personal purposes, within the following guidelines:
 - i. use is infrequent and of short duration (i.e. overnight or over the weekend);
 - ii. use does not impact College operations.
 - iii. sign-out procedures are followed, if applicable.
 - iv. use occurs outside of working hours wherever possible and does not have an impact on employee productivity.
 - v. the College does not incur any cost.
 - vi. no College supplies are used.
 - vii. the College is not exposed to any risk.
 - viii. the employee has received appropriate training to use the College property and will not use the property without that training.
 - ix. it is not part of an activity which the employee does for personal profit or profit for a Related Person.
 - x. the employee makes best efforts to return the property in the same or better condition.
 - xi. the employee reimburses College for any costs to repair or replace damaged or lost property; and
 - xii. use does not contravene the Policy in any way.

- d) If the intended use of property owned by the College is for personal purposes but does not meet the definition of incidental personal use as described above, then the employee must obtain approval from their VP Finance and Corporate Services.
- c) Employees may not use College vehicles for personal purposes.

Confidential Information

- a) In the course of employment or performing their duties, employees may be given access to or become aware of confidential or proprietary information of the College or of a third party who has disclosed such information to the College.
- b) Confidential information includes proprietary, technical, operational, business, financial, legal affairs, student information, employee information, or any other information which the College treats as confidential. If in doubt regarding what is considered confidential, employees shall seek guidance from their Manager.
- c) Employees must maintain the confidentiality of such information, in whatever form or however stored or transmitted, and to protect such information from loss, theft or misuse.
- d) Employees shall not disclose or use confidential information gained by virtue of their association with the College for personal gain, or to benefit a Related Person or associate.

College Ownership of Materials

- a) The College retains copyright and ownership of all materials developed by College employees in the course of their employment. These materials may be written, paper or electronic, computer software or other media-based materials, including either instructional or operational purposes.
- b) Upon termination of employment, employees may not retain any materials developed or obtained in the course of their employment with the College, without the express prior written permission of their Senior Executive member.

Breach

- a) Employees found to have breached their duties by violating the requirements of the Policy may be subject to discipline up to and including termination of employment that will be addressed through relevant College policies, collective agreements or terms of employment. If a violation of law is involved, the matter may also be referred to the appropriate law enforcement agency.
- b) Any supervisor or Manager who directs or approves of a violation of the Policy or who fails to report a violation, of which they have knowledge, is also in violation of the Policy and is subject to disciplinary action up to and including termination of employment.

No Retaliation

- a) The College and its employees will not retaliate against any employee, who in good faith, reports a known or suspected violation of the Policy. Employees will not be terminated, demoted or discriminated against in any way for reporting legitimate concerns about matters in accordance with the Policy, including giving information in relation to an investigation. However, given the seriousness of a false allegation and the resources which will be expended to investigate complaints, the College reserves the right to discipline anyone who knowingly makes a false accusation or knowingly provides false information to the College or others.
- b) Any member of the College who is found to have retaliated against the individual reporting a violation may receive disciplinary action up to and including termination of employment.

Grievances and Appeals

- a) Decisions made pursuant to this Policy and Procedures that impact on employees who are parties to a collective agreement may be grieved through the appropriate grievance process. Where decisions impact exempt or contracted employees, those decisions may be appealed in accordance with the applicable policies and procedures.

SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES

- Violence in the Workplace
- Respectful Workplace
- Public Interest Disclosure Act Policy
- Facility Use Policy

RELATED ACTS AND REGULATIONS

- Employment Standards Act

RELATED COLLECTIVE AGREEMENTS

- BCGEU Faculty Collective Agreement
- BCGEU Support Collective Agreement