

Section:	Human Resources (HR)
Subject:	Employment Rights and Obligations
Legislation:	<i>Conflicts of Interest Act</i> (RSA 2000 c-23)
Effective:	July 1, 2018.
Revision:	March 7, 2023

**APPROVED:** \_\_\_\_\_  
**Chair, on Behalf of SAIT’s Board of Governors**

## **POLICY**

The policy of the Board of Governors is to establish a standard of conduct whereby members of the SAIT community act in SAIT’s best interests in all their endeavors and in accordance with SAIT’s FIRST Principles (Fairness, Integrity, Respect, Safety and Transparency) and work to create a workplace and learning environment that is not jeopardized by a conflict of interest or by unethical behavior.

### **DEFINITIONS**

- Associate** An individual or organization with which a member of the SAIT community has a business or private relationship, such as:
- A relative, as defined below
  - A corporation of which the member of the SAIT community is a director or senior officer
  - A private corporation that the member of the SAIT community either owns or is the beneficial owner of that corporation’s shares
  - A partnership in which the member of the SAIT community is a partner, or of which one of the partners is a corporation directly associated with the member as described above
  - An organization acting with the member of the SAIT community’s express or implied consent

**Conflict of interest** A situation in which a member of the SAIT community has a private interest sufficient to influence, to appear to influence, or to potentially influence the objective exercise of that individual’s duties in SAIT’s best interests, or a situation in

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which that individual directly or indirectly competes with or aids another to compete with SAIT or to engage in a business or practice contrary to SAIT's interests, goals, objectives or business.

**Conflict of Interest Review Committee**

The SAIT committee that reviews and acts upon disclosures and allegations of conflicts of interest.

**Employee**

A person employed on SAIT's payroll, whether paid by annual salary or hourly wage. This includes SAIT's president and CEO.

**Executive Management Council**

SAIT's senior leadership team.

**Favouritism**

The more favourable treatment of one individual at the expense or to the detriment of another for reasons other than those based on work-related skills or other objective and relevant qualifications.

**Governor**

A member of SAIT's Board of Governors.

**Independent contractor**

An individual contracted by SAIT under the individual's own company name and paid through the Finance department.

**Intimate relationships**

Relationships of an intimate nature developed and maintained within the workplace and learning environment, and which may include intimate conduct or conduct of a sexual nature.

**Personal business venture**

Any business activity, provision of services, employment services, consultation or any related activity (regardless of whether or not remuneration is paid) that a member of the SAIT community conducts or carries out individually, through a proprietorship, body corporate, partnership, association or otherwise, and that is not part of that individual's employment mandate or responsibilities with SAIT.

**Private interest**

An individual's self-interest (for example, achieving a financial profit or avoiding loss, gaining a special advantage, or avoiding a disadvantage); the interests of an individual's relatives, associates, or business partners; or the interests of another organization in which the individual holds a voluntary or a paid position.

**Relative**

A person to whom a member of the SAIT community is related by blood or marriage. It includes a husband, wife, child, parent, sibling (including a foster or a step parent, child or sibling), parent-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, niece or nephew. It

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also includes a common law spouse and adult interdependent partner (as defined by law).

**SAIT community**

SAIT’s governors, employees and independent contractors.

**Student**

A person currently enrolled in a SAIT program or course.

**Workplace and learning environment**

Any physical or electronic environment where SAIT-related activities take place or where SAIT conducts business.

## GOVERNING PRINCIPLES

1. SAIT expects members of the SAIT community to conduct themselves in accordance with legislation, with SAIT’s FIRST Principles (Fairness, Integrity, Respect, Safety and Transparency), and with SAIT’s policies and procedures. This means that members of the SAIT community shall not place themselves in a conflict of interest which is:
  - a) Actual, where a member of the SAIT community’s official duties are influenced by that individual’s private interests.
  - b) Apparent or perceived, where a member of the SAIT community’s official duties appear on a reasonable basis to be influenced by that individual’s private interests.
  - c) Potential, where a member of the SAIT community’s official duties may be influenced in the future by that individual’s private interests.
2. This policy applies to all members of the SAIT community as defined above.

## PROCEDURE

1. Members of the SAIT community are expected to act fairly and impartially at all times in carrying out their duties and cannot place themselves in a position where their judgment and/or impartiality may be reasonably questioned. As set out in more detail in procedure [HR.4.11.1 Conflict of Interest](#), this means, for instance, that members of the SAIT community:
  - a) Must use SAIT property and SAIT information only for SAIT business and not for their own private benefit or the benefits of others.
  - b) Cannot take part in decisions in the course of carrying out their SAIT duties knowing that the decision might further their own private interests or the private interests of others.
  - c) Cannot use their position or powers at SAIT to influence or to attempt to influence activities or decisions that would further their own private interests or the private interests of others.

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2. Members of the SAIT community may not directly or indirectly supervise a relative or participate in employment or business decisions where they could exercise favouritism towards the relative. SAIT has the discretion to transfer the relative to a situation where the opportunity for favoritism will not arise. If SAIT cannot offer alternative employment, SAIT has the discretion to require one or more of the individuals involved in the relationship to resign.
3. Members of the SAIT community may not engage in intimate relationships or sexual conduct with:
  - a) Students over whom they have influence or could be perceived to have influence, regardless of the student's consent or age. Such intimate relationships are explicitly prohibited in all cases where the student is under the age of 18 years.
  - b) Other members of the SAIT community where their position of trust, power or authority could be abused or could be perceived to be abused. SAIT has the discretion to transfer one or more of the individuals involved in such a relationship. If SAIT cannot offer alternative employment, SAIT has the discretion to require one or more of those individuals to resign.
4. SAIT requires members of the SAIT community to maintain a high standard of integrity in all their business relationships and adhere to proper business practices at all times. They are required to report improper business practices to the Conflict of Interest Review Committee, as per the process set in out procedure [HR.4.11.1 Conflict of Interest](#).
5. Members of the SAIT community must respect the privacy and confidentiality of SAIT's records, data and information and use those records, data and information only for SAIT's business purposes. They are also required to respect and maintain the confidentiality, integrity and security of personal information they access or use in the course of their SAIT duties. A member of the SAIT community must report any actual or suspected misuse of personal information to their supervisor/manger, SAIT's Privacy Coordinator or the Employee Services department.
6. Members of the SAIT community (excluding SAIT's president and CEO) cannot participate in outside employment or personal business ventures where that activity is a conflict of interest (as defined above). In that situation, the employee must immediately cease engaging in that work or venture until SAIT's Conflict of Interest Review Committee has reviewed the situation and determined whether or not a conflict of interest exists. Note that different restrictions apply to SAIT's President and CEO. Further details are set out in section F of procedure [HR.4.11.1 Conflict of Interest](#).
7. SAIT does not accept gifts or complimentary items where such acceptance would compromise SAIT's FIRST Principles. SAIT limits the ability of members of the SAIT community to accept fees, gifts or other benefits that are connected with the performance of their duties from other individuals or organizations. See procedure [HR.4.11.1 Conflict of Interest](#) for further information.
8. Members of the SAIT community who wish to engage in political activities are governed by procedure [HR.3.2.1 Public Service Leave](#) and policy [ER.5.1 Political Contributions](#).

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9. Additional restrictions/requirements relating to post-appointment/post-employment activities and financial disclosures of holdings apply to governors, members of SAIT's Executive Management Council, and SAIT's president and CEO, as set out in procedure [HR.4.11.1 Conflict of Interest](#):
10. Employees and independent contractors must immediately disclose or report the following to their supervisor/manager, using the process set out in procedure [HR.4.11.1 Conflict of Interest](#):
  - a) If they are in an actual, apparent or perceived, or potential conflict of interest or in a situation that could reasonably be construed as competing with or contrary to SAIT's goals, objectives, business or interests.
  - b) If they are aware of any behaviours or practices that appear to breach procedure [HR.4.11.1 Conflict of Interest](#).

SAIT's Conflict of Interest Review Committee shall review and determine the matter. Details of this review process are set out in procedure [HR.4.11.1 Conflict of Interest](#).
11. SAIT shall take appropriate actions to address substantiated disclosures or reports of a conflict of interest, including restricting an individual's involvement in decisions relating to a conflict of interest, removing the individual from duties giving rise to the conflict of interest, requiring the individual to relinquish a private interest as it relates to the conflict of interest, dismissing the individual from employment, and/or other corrective actions as per procedure [HR.4.4.1 Corrective Actions Procedure](#). See procedure [HR.4.11.1 Conflict of Interest](#) for more information.
12. A member of the SAIT community who brings forward or who is involved in a complaint and/or investigation under this policy will be protected from any form of retaliation. Any such retaliation may result in consequences as set out in procedure [HR.4.4.1 Corrective Action Procedure](#) or in procedure [AC.3.4.4 Student Non-Academic Conduct](#), as applicable.

## DELEGATION OF AUTHORITY

1. SAIT's president and CEO may approve procedures that are consistent with and supplemental to this policy, including those that interpret or provide examples of expectations as described in this policy; establish additional expectations to supplement those described in this policy; establish processes for reporting, investigating and determining allegations; specify sanctions; and/or provide avenues of appeal.

## POLICY/PROCEDURE REFERENCE

HR.4.11.1 Conflict of Interest procedure

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