

SECTION 4: HUMAN RESOURCES MANAGEMENT

Policy 4.02 Conflict of Interest: Hiring and Assignment of Staff

Supporting Policies

[1.01 Values Statement](#)

[4.01 Recruitment, Hiring and Promotion](#)

[4.07 Employee Ethics](#)

Supporting Procedures

[Equitable Selection Procedures in Recruitment, Hiring and Promotion](#)

[Employee Ethics Procedure](#)

[Procedures for Disclosure of Conflicts of Interest \(Pending\)](#)

Supporting Protocols and Guidelines

Supporting Templates and Forms

Other Resources

[Education Act](#)

[Ontario Human Rights Act](#)

[Ontario Policy/Program Memorandum No. 165](#)

[Employment Standards Act](#)

[Municipal Freedoms of Information Protection for Privacy Act](#)

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RATIONALE:

Employees of the Algoma District School Board occupy positions of public trust and confidence. It is expected that Employees will always conduct themselves with personal integrity, ethics, honesty, impartiality, and diligence in the performance of their duties. Employees are responsible and accountable for identifying and avoiding any situation which may present a potential or actual conflict of interest or be perceived to be a conflict of interest. This policy, which applies to all Employees, addresses potential, apparent and actual conflicts of interest related to the hiring and/or assignment of staff. It provides guidance so that conflicts of interest are recognized and either avoided or resolved expeditiously through appropriate disclosure and management.

POLICY STATEMENT:

Any Employee in a position to hire, or to make decisions affecting the hiring process and who has a potential or actual conflict of interest, or be perceived to be a conflict of interest (ie. has a personal or familial relationship with an applicant), must declare a conflict of interest to the appropriate Supervisor or Director Education as outlined in the Board's "***Procedures for Disclosure of Conflicts of Interest.***" This includes the screening and interviewing of applicants.

1. Definitions

A **Conflict of Interest** means a potential, apparent, or actual conflict where an Employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the Employee's responsibility to the Board, or with the Employee's participation in any recommendation or decision pertaining to hiring within the Board. Employee means full-time or part-time Employees of the School Board involved in hiring.

External Activity means any activity of an Employee outside the scope of her/his/their employment with the School Board, undertaken as part of a commercial or volunteer enterprise.

Relationship means any relationship of the Employee to persons of his/her/their immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Supervisor means the person to whom an Employee reports.

2. Specific Conflicts

Without restricting the generality of this policy, the following circumstances may give rise to Conflicts of Interest:

- i) participating in, or influencing the outcome of the appointment, hiring, assignment, promotion, supervision or evaluation of a person with whom the Employee has, or has had, a relationship;
- ii) acceptance by an Employee of a gift from any of the following persons or entities if a reasonable person might conclude that the gift could influence the Employee when performing hiring duties with the School Board:
 - a) a person, group, or entity that has dealings with the School Board;
 - b) a person, group, or entity to whom the Employee provides services in the course of his/her/their duties to the School Board;
 - c) a person, group, or entity that seeks to do business with the School Board.

An Employee who is offered a gift in the circumstances described in ii) above shall, in writing, notify his/her/their Supervisor.



3. Assignment of Staff

Employees shall not be assigned to a worksite where the supervisor is an immediate familial relation, unless there are at least two levels of supervision between the individuals. Immediate familial relation is defined as spouse, child, parent or sibling, whether by marriage, in-law or common-law.

If the skills or qualifications required for a position, or if organizational or collective agreement provisions necessitate departure from these guidelines, the Director shall be advised of the circumstance.

This policy is not intended to restrict the rights of management, but rather to ensure a transparent process in the hiring and the assignment of staff.

Contraventions of this Policy

Adherence to this policy, in letter and in spirit, is crucial to the relationships of trust that exist between the Board, its Employees, and the public. Contraventions of this policy, whether arising from dishonesty or inattention, undermine these relationships and may lead to disciplinary action. For Employees, disciplinary sanctions for breach of this policy may take a range of forms appropriate to the nature of the contravention and could include dismissal from employment.