

Administrative Procedure 402

STAFF CONFLICT OF INTEREST AND NEPOTISM**Background**

The Division believes that the public has a right to educational services which are conducted with efficiency, impartiality, and integrity. It is this special obligation which demands that there not be any conflict of interest between the private interests of employees and their responsibility to the public.

Definitions

Conflict of Interest is a situation in which an employee whose private interests, or the private interests of a relative or an associate, might benefit from the employee's actions or influence as an employee of the Division.

Associate means individual or organization with whom employee has any personal or pecuniary interest.

Nepotism means favouritism shown to relatives in bestowing employment or conferring privileges.

Relative means child, sibling, parent, parent-in-law, or spouse.

Family status means the status of being related to another person by blood, marriage or adoption.

Procedures

1. Respecting outside employment, employees may take supplementary employment, including self-employment unless such employment:
 - 1.1 Causes an actual conflict of interest;
 - 1.2 Interferes with regular employment duties;
 - 1.3 Involves the use of Division premises, equipment, or supplies;
 - 1.4 Causes the employee to hold pecuniary interests that are in conflict of interest.
2. Where it appears that a conflict of interest might arise in taking supplementary employment, or through pecuniary interest, it is the duty of the employee to notify the Superintendent, in writing, as to the nature of employment.
3. Employees shall not accept monetary or other payment in addition to normal salary or expenses for duties which they normally perform in the course of their employment.

4. Employees who own, or have pecuniary interests in, businesses that may act as a supplier to the Division shall be strictly governed by Alberta government regulations on tendering and are required to notify the Division of their financial interest in a company at the time of submitting a tendered bid.
5. Products and materials developed as part of an employee's regular duties shall be the property of the Division.
6. No employees, or potential employees, will be shown favouritism by a member of their immediate family.
7. While no individual, on the basis of marital status or familial relationship alone, will be denied employment in the Division, employment practices are to be carried out in such a way as to avoid a potential nepotism situation.
 - 7.1 Employees are disqualified from participating with the decision process with reference to hiring, placing or promoting relatives.
 - 7.2 A relative of the applicant may not directly supervise a selection committee member.
 - 7.3 If a selection committee determines that the appointment of the candidate of its choice would result in a potential nepotism situation, the committee shall advise the Superintendent. The Superintendent will then deal with the situation in accordance with this administrative procedure and human rights legislation.
8. It is recommended that family members not work in the same school wherein one family member is in a supervisory position. An individual assessment of the circumstances of each such potential nepotism situation shall be made prior to any employment decision being approved by the Superintendent.
9. Employees who find themselves in a potential or actual conflict of this administrative procedure have a duty to notify their supervisor immediately upon becoming aware of such potential or actual conflict.

Reference: Section 60, 61, 113, 121, School Act
Freedom of Information and Protection of Privacy Act
Human Rights Citizenship and Multiculturalism Act
Individual Rights Protection Act
Canadian Human Rights Act
Canadian Multiculturalism Act