



Policy Name	CODE OF CONDUCT			<i>Revised</i>
Policy Number	HR-10	Category	Human Resources	
Policy Authority	Director, Human Resources		Effective Date	April 26, 2025
Executive Sponsor	Vice-President, Administration and Finance		Next Review Date	April 26, 2030
Approved By	President and CEO		Frequency of Review	every 5 years

1. POLICY STATEMENT

As a public post-secondary institution, the reputation of the college is fundamental to its success. This policy articulates the overarching legal and ethical principles that govern Medicine Hat College's (MHC) day-to-day operations.

The college expects employees to adhere to ethical standards, including honesty, integrity, impartiality, respect for others, fair dealing, diligence, and prudence and accountability in the use of the college's resources. Adherence to such standards not only serves to further the reputation of MHC but also provides an essential foundation for excellence in education and is vital to the development and maintenance of an environment in which members are proud to be part of the college.

This policy was developed in accordance with the Alberta Conflicts of Interest Act and is approved by the Ethics Commissioner.

2. SCOPE

This policy applies to all MHC employees with the exception of the college Board of Governors, who are bound by their own Code of Conduct policy.

3. ACKNOWLEDGEMENT

All MHC employees will sign a Code of Conduct acknowledgement upon appointment and are required to complete the Code of Conduct training annually.

4. NOTICE PERIOD

This revised policy will be made public on or before **March 26, 2025**, and implemented on **April 26, 2025**. The period between the publish date, and the implementation date will serve as the public notice period.

5. DEFINITIONS

- **Apparent Conflict of Interest:** exists if there is a reasonable perception, which a reasonably well informed person could properly have, that the employee's ability to exercise their duties has been affected by their private interest.
- **Applicable Laws:** all federal, provincial and municipal laws, statutes, regulations, bylaws, orders and instruments, and all terms and conditions of any grant of approval, permission, authority or license of any court of government or self-regulatory authority that apply to a party and its operations and business.

- **Close Personal Contact:** an individual an employee is directly associated with or has a romantic, intimate or other personal relationship, whether that relationship currently exists or had recently existed.
- **Conflict of Interest:** arises when individuals are placed in a position whereby their private interests conflicts with the best interests of MHC. The test of a conflict of interest is not just a case of whether the individual is actually influenced by their private interest. The pivotal issue is whether circumstances lend themselves to such a possibility.
- **Employee:** any person who is employed by MHC or under an employment contract.
- **Secondary Employment or Appointment:** any appointment, employment, or business outside of the college. It does not include income derived other than through an appointment, employment, or business.

6. GUIDING PRINCIPLES

- 6.1 The college operates on the principle of individual accountability within a system of defined roles and governance. Employees assume the responsibilities that are appropriate to their positions and roles. They are accountable to MHC and to each other for their actions, exercise sound judgment, and act in good faith in the performance of their responsibilities.
- 6.2 Employees will be truthful and objective in their work and interactions.
- 6.3 Employees will make use of MHC resources and property effectively and efficiently for their intended purposes and not for private benefit.
- 6.4 Employees will not use their status within the college to obtain private gain or benefit. Even the appearance of an undue influence or conflict of interest with respect to one's actions on behalf of the college can be harmful. Therefore, employees will be sensitive to both the reality and the potential appearance of their activities, particularly with respect to outside professional activities, private and financial interests, and the receipt of benefits from third parties.
- 6.5 Employees whose responsibilities require them to make a decision that may adversely affect another's rights, liberties, interests, or legitimate expectations will ensure that their decision is formulated and applied with fairness.
- 6.6 Employees will not take unfair advantage of anyone through illegal conduct, manipulation, concealment, abuse of privileged information, misrepresentation of material facts or any other unfair-dealing practice.
- 6.7 Employees have a duty to be aware of obligations imposed by relevant laws, regulations and the policies and procedures established by the college. Employees are encouraged to ask questions when those obligations are unclear, and to report potential problems or suspected non-compliance.

7. CONFLICTS OF INTEREST

7.1 Gifts and Invitations from External Sources

This section is intended only for individual gifts, benefits, or other favours given to an employee for private use, not donations the college seeks from its stakeholders to supplement the financial revenue streams which is then used for operational, capital, and student scholarship purposes.

Employees must use their discretion and recognize that while a gift or benefit may be offered with the expectation of receiving nothing in return, acceptance may still create an apparent conflict of interest. Even an apparent conflict of interest must be avoided or managed before the gift or benefit can be accepted.

7.1.1 Limitations On Gifts and Other Benefits

7.1.1.1 Acceptance of cash or cash equivalents as a gift or benefit related to an employee's position at the college is not allowed.

7.1.1.2 Employees may only accept gifts or other benefits relating to their position with the college if they are the normal exchange of hospitality between persons doing business together, tokens exchanged as part of protocol, or the normal presentation of gifts to persons participating in public functions.

Such gifts or benefits are subject to the following limits.

- (a) Any single gift or benefit cannot exceed a cash value of \$150.
- (b) Any combination of gifts or benefits received from a single source within a calendar year cannot exceed a total cash value of \$300.
- (c) Any gift that is single paid invitation to attend an event cannot exceed a cash value of \$300, inclusive of food and beverage.
- (d) Any combination of paid invitations to attend events from a single source within a calendar year cannot exceed a total cash value of \$500, inclusive of food and beverage.

7.1.1.3 If the valuation of any gift or benefit is disputed, the value will be as determined by the President's Office in consultation with subject matter experts.

7.1.1.4 If an employee accepts a gift with a value greater than the limits set out above the gift will become the property of the college. If there is a real or apparent conflict of interest the gift will be returned.

7.1.2 Limitations On Invitations to Speak or Participate at Events

7.1.2.1 An employee may accept an invitation to speak or participate at a conference, seminar, workshop, or similar event if their participation relates to their responsibilities at the college, subject to the following.

- (a) The employee must request written approval from their supervisor if the conference invitation will require time away from their primary responsibilities.
- (b) The total value of transportation costs, registration fees, accommodation, meals, and related incidentals that may be gifted to them in connection with the invitation cannot exceed \$4,000. Any combination of such invitations from a single source cannot exceed a cash value of \$8,000 per calendar year.

7.1.2.2 Employees must request special approval from the President and CEO, prior to accepting an invitation to speak or participate at an event if the total value that exceeds the limits set out above. Acceptance will be granted in writing where the gifted amount does not create a conflict of interest and is in alignment with this policy.

7.2 Internal Gifts and Benefits

7.2.1 Gifts or benefits purchased using a departmental budget for a MHC employee are not subject to the Alberta Conflicts of Interest Act, however gift givers and receivers must consider the

potential for any real or apparent ethical issues, and act in accordance with relevant MHC policies, procedures, and guidelines.

7.2.2 Gifts or benefits related to employee performance must follow Human Resources and CRA guidelines.

7.3 Secondary Employment

7.3.1 Conditions

Any secondary employment or appointment outside of the college **must not**:

- (a) constitute a real or apparent conflict of interest,
- (b) be performed in such a way as to appear to be an official act of or to represent an opinion of the college,
- (c) take place during the employee's normal working hours at the college,
- (d) interfere or impede the employee's ability to perform their regular college duties, and
- (e) involve the use of the college's premises, equipment, systems, materials, or supplies.

7.3.2 Approval Process

7.3.2.1 At the time of hire, and prior to accepting or creating any secondary appointment, employment, or business outside of the college that is not listed in the pre-approved exclusions (7.3.3), employees must notify their supervisor using the Code of Conduct Disclosure Form, including all relevant details and any background information that is required.

7.3.2.2 Upon receiving a disclosure, the supervisor will complete the appropriate documentation and consult with Human Resources to determine whether a real or apparent conflict of interest exists.

- (a) If there is no real or apparent conflict of interest, the supervisor confirms in writing that secondary appointment, employment, or business does not constitute a conflict of interest.
- (b) If it is determined there is a manageable conflict, it is the responsibility of the employee to ensure it remains manageable. Any necessary conditions to mitigate the real or apparent conflict will be documented.
- (c) If it is determined to be a conflict of interest that cannot be appropriately managed, the employee will be required to take steps to eliminate the conflict of interest. The steps taken will be documented.

7.3.2.3 If an employee's apparent or actual conflict of interest status changes, the employee must disclose that change of status to their supervisor as soon as possible.

7.3.2.4 A copy of the Disclosure Form is placed in the employee's file.

7.3.3 Pre-Approved Exceptions

The college pre-approves some secondary appointments, employment, or business. The following are pre-approved (subject to 7.3.1), and employees are not required to report or seek the college's consent.

- (a) Engaging in secondary appointments, employment, or business, for which the employee will not receive nor be entitled to receive remuneration.

- (b) Engaging in secondary appointments, employment, or business which require the individual to work no more than 20 hours per week in the retail or hospitality industries.

7.4 Self-Disclosing Other Conflicts of Interests

7.4.1 Examples of other potential or real conflicts of interests may include.

- Recommending or authorizing the college to purchase services, supplies, or equipment from a source where the employee or employee's family has an interest.
- An employee offering an activity as a private venture but identifying themselves as a college representative.
- Conducting an academic evaluation or conferring or denying an academic or administrative benefit for a student that is the employees' family member or close personal contact.
- Entering into a contract with a company on behalf of the college in which the employee, employee's family or close personal contact has financial interest.
- An employee participating in hiring committees, decisions about recruitment, offers of employment, performance evaluation, promotion, discipline or termination for family members or close personal contacts.

Due to the range and complexity of the college's activities, a list of all real or apparent conflicts of interest cannot be listed.

7.4.2 Employees must disclose all real or apparent conflicts of interest to their supervisor using the Code of Conduct Disclosure Form as soon as possible. When applicable, employees must receive the written response before making any decision or taking any action regarding the matter of concern.

7.4.3 Upon receiving a disclosure, the supervisor will complete the appropriate documentation and consult with Human Resources to determine whether a real or apparent conflict of interest exists.

- (a) If there is no real or apparent conflict of interest the supervisor confirms that determination in writing.
- (b) If it is determined there is a manageable conflict, it is the responsibility of the employee to ensure it remains manageable. Any necessary conditions to mitigate the real or apparent conflict of interest will be documented.
- (c) If it is determined to be a real or apparent conflict of interest that cannot be appropriately managed, the employee will be required to take steps to eliminate the conflict. The steps taken will be documented.

7.4.4 If an employee's real or apparent conflict of Interest status changes, the employee must disclose that change of status to their supervisor as soon as possible.

7.4.5 A copy of the Disclosure Form is placed in the employee's file.

8. OBLIGATION TO REPORT

8.1 An employee who observes or believes another employee is in violation of this policy or other applicable laws or regulations is responsible for reporting this concern to their supervisor.

Employees reporting in good faith and with reasonable grounds are protected from reprisal. The supervisor will consult Human Resources and review the reported concern.

- 8.2 If the supervisor is involved in the concern, the employee may report to their next level supervisor or Human Resources.
- 8.3 Human Resources, in consultation with the appropriate Vice-President, will determine if a formal investigation (internal or external) is required.
- 8.4 A concern may not proceed to investigation under this policy if:
 - (a) The concern may be effectively resolved through an alternative, informal process with the agreement of all parties involved,
 - (b) The concern is more appropriately dealt with through another policy or provisions contained in a collective agreement, or
 - (c) The concern is determined to be trivial, frivolous, vexatious or an abuse of process in which case the person filing the complaint may be subject to discipline.

9. INVESTIGATIONS

- 9.1 If an investigation is undertaken under this policy, Human Resources will inform the necessary parties of the impending investigation after an investigator is appointed, if appropriate. The investigator will contact all applicable parties to inform them of the investigation process, which will be guided by the concept of procedural fairness.
- 9.2 To the extent that is reasonably possible, the names of the relevant parties and witnesses and the circumstances of the allegation will be kept confidential. Information concerning an allegation may be provided to college officials who have a need to know in order to perform their duties or carry out their responsibilities.
- 9.3 The investigator will conduct interviews with all parties separately, allowing respondents an opportunity to respond to any allegations made against them. If requested, employees may have union or association representation present, as applicable.
- 9.4 The investigator will provide Human Resources with a report which will be the appropriate supervisor(s). Human Resources and the supervisor(s) will determine any required mitigations, sanctions, or remedies.
- 9.5 The respondent will receive written notification of the conclusion of the investigation outlining any substantiated and unsubstantiated allegations in a timely manner. Any mitigation or disciplinary action in the form of remedies or sanctions will be documented on the employee record and will be in compliance with the provisions of the applicable collective agreement or with college standard practice on progressive discipline.
- 9.6 Any investigation conclusions under this policy are final.

10. SPECIAL OBLIGATIONS

The President and CEO is subject to additional obligations under section 23.925 of the Alberta Conflicts of Interest Act. These obligations apply only to the President and CEO and will apply immediately to any President and CEO upon hiring or appointment.

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- 10.1 The President and CEO will not take part in a decision in the course of carrying out their office or powers knowing that the decision might further a private interest of the President and CEO, a person directly associated with the President and CEO, or the President and CEO's minor or adult child. 23.925 (1)
- 10.2 The President and CEO will not use their office or powers of influence or seek to influence a decision made by or on behalf of the Crown or a public agency to further a private interest of the President and CEO, a person directly associated with the President and CEO, the President and CEO's minor child, or to improperly further any other person's private interests. 23.925 (2)
- 10.3 The President and CEO will not use or communicate information not available to the general public that was gained by the President and CEO in the course of carrying out their office or powers to further or seek to further a private interest of the President and CEO or any other person's private interests. 23.925 (3)
- 10.4 The President and CEO will appropriately and adequately disclose a real or apparent conflict of interest. 23.925 (4)
- 10.5 The President and CEO will not be involved in any appointment, employment (including self-employment), business, or undertaking, other than their employment as the President and CEO ("concurrent employment"), unless the President and CEO;
- (a) obtains the approval from the College's Board of Governors for the concurrent employment, and
 - (b) applies to the Ethics Commissioner for approval in writing to engage in the concurrent employment and complies with any conditions imposed. 23.926 (1-4)

ORIGINAL COPY SIGNED

Kevin Shufflebotham
President and CEO
Approval Date: March 26, 2025

ORIGINAL COPY SIGNED

Wayne Resch
Vice-President, Administration and Finance
Approval Date: March 26, 2025

Additional Information	Location
Code of Conduct Self Disclosure Form	Human Resources SharePoint
Alberta Conflict of Interest Act	OpenAlberta.ca
HR-05 Workplace Relationships Policy	MHC Website and Policy and Compliance SharePoint