

# NICOLA VALLEY INSTITUTE OF TECHNOLOGY

## CODE OF CONDUCT



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## Introduction

1. Nicola Valley Institute of Technology (NVIT) (“the Institute”) is committed to providing an Indigenous learning and working environment characterized by Aboriginal culture and values. NVIT is rooted in the values of First Nations Higher Education of respect, relevance, responsibility, and reciprocity.
2. The Institute is committed to the highest standards of ethics and integrity. Employees are accountable to themselves, the Elders, the communities, the students and the provincial government. Grounded in Aboriginal tradition and Indigenous Knowledge, the Institute values collaboration and relationship building. Relationships cannot be successful without trust. Trust requires integrity at all levels, at all times.
3. This Code of Conduct (the “Code”) provides guidance to employees on standards of conduct, protection of information, privacy and records, and property in furtherance of the Institute’s goal of creating a holistic learning and growth environment for students, staff and faculty.

### **1. Application and Scope**

1. The Code applies to all employees of NVIT.
2. The Code is not intended to override or derogate from, but to complement Institute policies, procedures, regulations, as well as collective agreements, terms and conditions of employment, and professional codes with which employees must comply.

### **2. Knowledge and Compliance with Policies and Regulations**

1. Employees are expected to be familiar with all Institute policies and procedures relevant to their responsibilities and to conduct themselves in a manner consistent with those policies and procedures. Upholding the Code is the responsibility of every employee and compliance is a condition of employment for all employees. Employees are required to acknowledge that they have read and understand the Code.
2. Employees are expected to be aware of and comply with provincial and federal legislation and regulations and other contractual or legal obligations that affect how they carry out their duties and how the Institute conducts business.
3. Employees are encouraged to seek guidance where there is a question about compliance with this Code, Institute policies, procedures and/or applicable laws.
4. Employees will be mindful of their behavior, seeking to act in a professional manner which can bear public scrutiny.

### **3. Values and Principles**

1. Employees of the Institute conduct themselves in a manner that builds the reputation of the Institute by demonstrating the Institute's values of organizational excellence, integrity, balance, openness, and trust in all interactions.
2. Employees of the Institute communicate in a reciprocal and respectful manner, demonstrating collaborative behavior, and model, and expect from others, a strong work ethic.
3. Employees of the Institute promote and support an inclusive and safe work environment respecting the dignity, rights, cultures and beliefs of all.
4. Employees of the Institute contribute to a healthy and safe workplace by complying with all safety legislation and policies and by taking all reasonable precautions to ensure their own safety and that of others. Employees care for and support each other.
5. Employees understand that no one part is greater than the other, and that collectively, the organization is whole.
6. Critical self-examination and a willingness to admit both strengths and weaknesses is encouraged.
7. Employees will act in good faith, and assist and support colleagues to facilitate the positive exchange of knowledge and skills.

### **4. Conflict of Interest**

Conflict of Interest policy and procedures, are intended to assist employees to recognize possible conflict of interest situations, so that they can disclose, manage and resolve such situations. A conflict of interest situation may arise even where there is no intention of acting unfairly or dishonestly. Where employees are in doubt about a particular set of circumstances, they should discuss the situation with their manager prior to engaging in the activity.

1. Employees of the Institute are in a position of trust and are to carry out their responsibilities in the best interest of the Institute.
2. Employees have a responsibility to conduct themselves in a way that does not compromise the ability of the Institute to accomplish its work or undermine the confidence in the employee's ability to discharge his or her responsibilities.
3. Employees are expected to act with transparency and impartiality and to avoid or remove themselves from situations involving a conflict of interest.

4. To preserve the image and integrity of the Institute and its community, employees should avoid giving or accepting a good or service which is intended to influence unfairly, or that might give the appearance of unfairly influencing, a decision concerning any Institute business, including commercial, administrative, employment related, academic or research oriented in nature.
5. Reasonable and customary hospitality may be given or accepted as courtesy of a business relationship. Payments for meals, refreshments, travel, accommodations or entertainment by an outside source are permitted, provided that:
  - they are reasonable in amount;
  - they are expended in the course of a meeting or other occasion the purpose of which is to hold a bona fide business discussion or to foster better relation between the Institute and external individuals, groups, or institutions;
  - they are unsolicited; and
  - the expense would be paid for by the Institute as a business expense if not paid for by the outside source.
6. Employees may not accept gifts unless they have only nominal value or are offered in accordance with social or cultural custom, for example, when an employee retires or leaves the Institute or visits another university/institute. In all such cases, however, whenever the gift might influence, or might be reasonably construed as influencing a business decision it should be refused.
7. Employees must keep their role as private citizens separate and distinct from their responsibilities as employees of NVIT. Care must be taken to avoid issues of conflict of Interest.
8. Employees should not undertake external consulting, professional or other activities, which, by virtue of their time commitment, prevent the employee from fulfilling his/her obligations to the Institute.
9. Employees are required to understand their responsibilities as set out in the Conflict of Interest Policy and related procedures.
10. Refer to NVIT Policy B.2.8 Conflict of Interest.

<http://www.nvit.bc.ca/institutionalpolices/managementandoperations/personnel/b.2.8conflictinterest.htm>

## 5. Confidential Information

In the course of employment, employees may have access to, or become aware of, confidential or proprietary information of the Institute or of a third party who has provided such information to the Institute.

1. Protecting confidential information is an important practice for the Institute. Employees are expected to be familiar with and comply with the NVIT Confidentiality Agreement.
2. Confidential information refers to information that becomes available to an employee as a result of his or her employment, and is not otherwise generally available. Confidential information includes business, proprietary, technical, operational, financial, legal, personal information relating to personnel, contractors, suppliers, or students (as described below under Privacy), and all other information that the Institute treats as confidential.
3. Employees are required to maintain the confidentiality of information with which they work or have access to and must protect such information from loss, theft, misuse and improper disclosure. Employees must notify their supervisor if they have reason to believe that confidential information has been compromised.
4. Employees must not use or disclose confidential information received in the course of their employment without appropriate prior authorization.
5. Employees should not disclose or use confidential information to further their own interests or for other unauthorized purposes, such as to benefit friends or family (see above under Conflict of Interest).
6. Employees should seek guidance from their manager if they have any questions as to whether certain information is confidential.
7. The requirements with respect to use, disclosure and protection of confidential information apply throughout and continue after employment with the Institute ends.

## 6. Privacy Policy

1. The Institute is committed to protecting the privacy of individuals from whom it collects personal information.
2. Personal information is protected by privacy laws and the Institute is subject to the British Columbia *Freedom of Information and Protection of Privacy Act* (FIOPPA).
3. In general, employees may access personal information only when and to the extent it is required by their job, and may only disclose personal information for authorized purposes.

Employees must take all reasonable steps available to protect the privacy of anyone whose personal information is held by Institute.

4. NVIT is also required to comply with the information access requirements established in FIOPPA. Records created by employees may be subject to an access to information request.

#### Related Agreements

Employee Confidentiality Agreement

## **7. Records and Records Retention**

1. The Institute is committed to the efficient and effective management of records and retains and disposes of records in accordance with approved retention and disposition schedules.
2. Employees are responsible for careful preparation and maintenance of accurate and complete records. Employees should never create a false or misleading record. Employees are responsible for managing records in accordance with the Institute's Records Management Program/Policy.
3. Any records, regardless of their source, media, format or location are the property of the Institute and remain the property of the Institute at the end of an individual's employment or contract.

## **8. Copyright and Intellectual Property**

1. Employees are required to be aware of and understand their rights and responsibilities as described in the Collective Agreement.

## **9. Professional Behaviour**

1. The Institute is committed to providing a learning and work environment that supports diversity, and that is free from all forms of discrimination, including sexual and other forms of harassment, and violence.
2. Harassing conduct, including any behavior that a reasonable person would conclude contributes to an intimidating or offensive environment, will not be tolerated.
3. Employees will not misrepresent to outside agencies their skills and abilities in relation to their employment with the Institute.

## 10. Use of Institute Property

Institute property and resources can be both tangible (such as buildings, furniture, equipment, vehicles, supplies, computer systems) as well as intangible (such as intellectual property, patents, use of facilities and services).

1. Institute property and resources are intended to be used for the Institute's work and purposes, including teaching, learning, research and administrative purposes.
2. Employees are expected to use the Institute property and resources responsibly, legally and safely and for valid Institute purposes.
3. In using the Institute property and resources, employees are expected to comply with applicable policies, including the Computing & Communications Policies and the Operation of NVIT Vehicles Policy.

## 11. Post-Employment Restrictions for Senior Executives

### Definitions

1. For the purpose of the post-employment restrictions set out below:
  - (i) "Senior Executive" means a person employed by Nicola Valley Institute of Technology (NVIT) as President or Vice President; and
  - (ii) "Outside Entity" means a person or entity other than a public sector employer as defined in Section 1 of the *Public Sector Employers Act*.

### After Leaving NVIT

2. The following is a condition of a Senior Executive's employment with NVIT. If the Senior Executive had a substantial involvement in dealings with an Outside Entity on behalf of NVIT at any time during the year immediately preceding the end of the Senior Executive's employment with NVIT then, for one year after the end of the Senior Executive's employment, the Senior Executive must not:
  - (i) accept an offer of employment with, an appointment to the board of directors of, or a contract to provide services to, that Outside Entity, or
  - (ii) provide consulting or other services to that Outside Entity, in connection with its dealings with NVIT.



### **Reduction of One-Year Limitation**

3. The President, or the NVIT Board of Governors if the Senior Executive is the President, may reduce a Senior Executive's one-year restriction, upon application, after considering the following:
  - (i) the circumstances under which the Senior Executive's employment ended;
  - (ii) the Senior Executive's general employment prospects;
  - (iii) the significance to NVIT of information the Senior Executive possessed by virtue of the Senior Executive's position with NVIT;
  - (iv) the desirability of a rapid transfer of the Senior Executive's skills to an employer other than NVIT;
  - (v) the degree to which the new employer might gain unfair commercial advantage by hiring the Senior Executive;
  - (vi) the authority and influence the Senior Executive possessed while employed by NVIT;
  - (vii) the disposition of other cases.
4. The decision of the President, or the Board of Governors if the Senior Executive is the President, on the application to reduce the Senior Executive's one-year restriction shall be issued in writing within ten (10) working days of receipt of the application.
5. If the President reduces the one-year restriction for a Vice President, the President shall report the change to the Board of Governors at the next regularly scheduled meeting.

## **12. Compliance with the Code of Conduct**

1. *Compliance with the Code:* Employees are responsible for conducting themselves in accordance with the Code at all times; for being aware of situations which may give rise to potential contraventions of the Code and for seeking guidance if in doubt as to the proper course of action to follow. Employees are expected to use good judgement.
2. *Monitoring:* The Leadership Team is responsible for monitoring compliance with this Code.
3. *Orientation and Education:* Human Resources staff are responsible for reviewing the Code with an employee during orientation, as well as applicable policies.
4. *Advising and Updates:* Immediate Supervisors/Department Heads are responsible for advising employees of the required standards on an on-going basis and informing employees of new policies or revisions to existing ones.

## 5. *Reporting Breaches of the Code of Conduct*

- a. Any employee who has observed or learned of a breach of the Code must, as soon as possible, report the situation to the senior administrator responsible for his/her function, and in case of a conflict of interest, in accordance with the Conflict of Interest Policy. The report must be in writing.
- b. All issues brought forward to Management will be investigated. The circumstances surrounding the issue, follow-up required and confirmation of resolution or agreement to waive the policy will be documented.
- c. The Senior Administrator, in consultation with any appropriate parties, will determine if a conflict of interest exists, will exist, or may be perceived to exist, and initiate steps to remedy the situation.
- d. All participants are expected to maintain the confidentiality of the information they receive during the process of addressing an actual, potential or apparent conflict of interest.
- e. The Code offers guidance to employees on standards of conduct but cannot address every situation an employee may encounter.
- f. Employees who are uncertain about the appropriate course of action to take in a situation or who have questions or concerns are encouraged to discuss them with the senior administrator responsible for his/her function.
- g. For code of conduct breaches involving the Leadership Team or Vice President, the President will review the facts and make a determination regarding the appropriate course of action. For conflict of interest situations involving the President, the Board of Governors will make a determination regarding the appropriate course of action.

## **13. Related or Supporting Policies and Agreements**

All Institute policies can be found at <http://www.nvit.bc.ca/about/institutionalpolicies.htm>

## Appendix A- Employee Declaration and Commitment

Last Name:

First Name:

Employee Number:

Declaration:

I, the undersigned, declare that I have read and understood the \_\_\_\_\_ for \_\_\_\_\_ employees and all related policies. I agree to comply with these standards, any amendments thereto, provided such amendments have been brought to my attention.

Signatures:

\_\_\_\_\_

Date:

Employee

\_\_\_\_\_

Date:

Witness

Completed forms must be forwarded to Human Resources (hr@nvit.bc.ca). (A copy of this form will be kept in the employee's personnel file.)