

Corporate Policies

SECTION: TERMS & CONDITIONS OF EMPLOYMENT

SUBJECT: Conflict of Interest

POLICY/PROCEDURE NO. 2.2.0

EFFECTIVE DATE: October 16, 2002

PAGE: 1 OF 3

SUPERCEDES POLICY DATED: May 1991

APPROVED BY: Council AF123-2002

POLICY STATEMENT:

The Corporation strives to maintain the highest level of performance in all aspects of its business. Each and every employee is expected to provide full attention to their employment duties and do so with the greatest of ethical standards. As public servants, all employees of the Corporation must also maintain the public's trust and shall ensure public confidence that their duties are performed in the City of Brampton's best interests. Actual and/or perceived conflicts of interests are as defined below to be avoided at all times.

This policy respects the guidelines pertaining to conflicts of interest as outlined in the Employee Code of Conduct Policy 2.1.0, as amended.

PURPOSE:

To ensure that all employees are aware that outside activities may present a conflict of interest in relation to operations of the Corporation and to set out guidelines to be followed to prevent a conflict of interest situation from occurring. Outside activities can be of an employment and/or voluntary nature.

SCOPE:

All employees.

PROCEDURE:

1. CONFLICT OF INTEREST

For the purposes of this policy and procedure, the following definition applies:

A conflict of interest occurs when, in the course of their duties, an employee is called upon to deal with any matter which he or she has a direct or indirect personal interest, whether or not the employee acts or intends to act in a way which is inconsistent with the interests of the Corporation.

- a. A direct interest is an interest through which the employee may derive an economic benefit or avoid an economic loss.

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- b. An indirect personal interest arises where another person or corporation having a financial relationship to the employee experiences the potential economic benefits or avoidance of economic loss.

2. EXCEPTIONS

The Corporation permits outside employment and/or voluntary activities provided that a conflict of interest does not arise as defined herein and the following conditions are met:

- a. Employees continue to fulfill their regular duties.
- b. Outside activities are not performed during regularly scheduled hours, subject to prior approval.
- c. Confidentiality of all Corporation matters is maintained.
- d. Actual or perceived conflict of interest is avoided.

3. RESPONSIBILITIES OF THE DIRECTOR LEVEL AND ABOVE

- a. Approval

All outside employment and/or voluntary activities that may arise in an actual or perceived conflict of interest must have **prior approval** from the employee's Director, or above, to ensure that a conflict of interest situation is avoided.

- b. Identification of a Conflict

Where it is identified that a conflict of interest exists, the Director or above shall initiate all necessary and appropriate action to immediately remedy the situation.

Conflict of Interest situations can sometimes be complex. Directors or above must exercise discretion in the approval process. When in doubt, clarification must be obtained from the City Solicitor.

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c. Documentation

Upon resolution and/or approval of the conflict of interest, senior level management must:

- i. record, in writing, action taken and/or direction given to avoid conflict and ensure it is signed by both parties.
- ii. retain the original copy and forward two copies to the Human Resources Division for filing in the files of the employee and the approver.

4. RESPONSIBILITIES OF THE EMPLOYEE

The employee shall seek prior approval, in writing, for any outside employment and/or voluntary activity that may present an actual or potential conflict of interest.

5. GIFTS AND BENEFITS

Gifts shall not be solicited by employees. Employees shall not allow themselves to reach a position whereby they might be or might be deemed by others to have been influenced in making a business decision as a consequence of accepting hospitality.

ACCOUNTABILITY:

All employees of the Corporation are accountable to adhere to this policy as outlined. Breaches and/or unsatisfactory job performance are to be addressed by the employee's supervisor in accordance with the Performance Appraisal Policy 7.1.0.

ADMINISTRATION:

Human Resources Division, City of Brampton 1st Flr-2 Wellington St. West Brampton, Ontario L6Y 4R2

CONTACT:

Human Resources Division