



MARIANOPOLIS
COLLEGE

EMPLOYEE CODE OF CONDUCT

DATE - Adopted by the Board of Governors on September 9, 2014

PURPOSE

The Vision and Mission of Marianopolis College compel it “to be a leader in building a ... supportive environment” and encourage members of its community to “act with integrity (and) promote ... justice.”

The College is committed to promoting a healthy and productive work environment where all members of the community are treated fairly and with respect, while espousing a shared set of core values. As such, this Code of Conduct strives to provide a common understanding of what is expected of all College employees, with the acknowledgment that educators are held to the highest ethical and professional standards by virtue of the trust others place in them.

The guiding principle of this Code of Conduct is the promotion of an environment of respect, which is central to the success of the College, its students and employees. The institutional values which support the Code are: integrity and ethical conduct; respect for others; respect for the nature of the employee-student relationship; respect for information; respect for property and resources; and respect for rules.

SCOPE

This policy applies to all College employees, including employees on contract, in the normal execution of their duties both on and off campus. It does not apply to students, who are governed by the Student Code of Conduct.

1. DEFINITIONS

Academic freedom: as related to the subject matter being taught, the right of teachers to engage in frank discussion of potentially controversial matters such as race, sex, sexual orientation, gender identity, politics or religion, as well as the right to use legitimate instructional techniques and to assign readings which may present a controversial point of view.

Bad faith allegations: allegation of wrongdoing that is frivolous, vexatious or made with malice or ill will.

Conflict of interest: any situation that reasonably compromises, has the potential to compromise or may give the appearance of compromising an employee's independence and impartiality in the execution of that employee's duties or conduct.

Current students: all students enrolled at Marianopolis in the current or upcoming semester, or those who are expected to return to the College within a year.

Employees: any person performing a service for the College for a wage. This includes faculty, staff, professionals, management and contract employees currently employed by the College.

Good faith: acting with good intentions in the best interest of the College, its employees and students.

Non-personal confidential information: non-public information whose disclosure could prejudice the College's reputation, economic interests or competitive position. This includes, but is not restricted to, teaching materials that are not one's own, College finances, strategies or plans relating to the management of the College that have not yet been put into operation or made public.

Personal information: information, in written or photographic form, that allows a person to be identified. This includes but is not limited to information about a person's identity, health, finances, professional activities, grades or school attendance.

Personal relationship: a relationship between spouses, parent and child, siblings or relationships through marriage or common-law marriage or other close personal, financial or intimate relationships.

Professional social media: work-related social media which may take the form of either a College-based network (e.g. Omnivox, Marianopolis websites) or an official Marianopolis page on a non-College-based proprietary platform, e.g. College Facebook pages, College-sanctioned blogs.

Sexual behaviour: any overt or covert behavior of a sexual nature that includes, but is not limited to, seductive communication, gestures and behaviour, as well as physical contact of a sexual nature.

2. POLICY

- a. **Standards of integrity and ethical conduct:** the College expects all members of its community to conduct themselves in an ethical manner. In practicing and modeling ethical conduct, employees are expected to:
- Conduct all business and interactions in good faith, with honesty, impartiality, integrity and propriety, with a view to the best interests of the College
 - Be accountable for individual actions in the context of one's employment
 - Conscientiously fulfill their responsibilities towards the College, their colleagues and the students
 - Communicate ethical standards of conduct through instruction and example
 - Adhere to and promote standards of academic integrity and neither engage in nor condone any form of academic dishonesty such as cheating, plagiarism or falsification.
- b. **Respect for others:** the College is committed to tolerance, diversity and respect for differences, and also to the protection of students and employees from harassment. In the execution of their duties, employees are expected to:
- Behave in an ethical and civil manner, respecting all individuals, their rights and their right to divergent opinions
 - Demonstrate this respect in all types of interaction (meetings, telephone, electronic exchanges) and forms of communication (verbal or written)
 - Promote a positive working and teaching environment, free from discrimination, intimidation, harassment, coercion or violence
 - Support a teaching environment respectful of academic freedom and the Institutional Policy on the Evaluation of Student Achievement (IPESA)
 - Adhere to the College's Psychological Harassment policy.
- c. **Respect for the nature of the employee-student relationship:** the integrity of the teacher-student relationship is at the foundation of the College's Mission. It vests considerable trust in the teacher, who bears authority and accountability as a mentor, educator and evaluator. Implicit in the nature of this relationship is the element of unequal institutional power. To protect the relationship from influences or activities that can interfere with learning and personal development, teachers and all other College employees must maintain objective and proper relationships with students. They must therefore:
- Avoid participating in any activity which may compromise objectivity or be perceived as a conflict of interest, e.g. evaluating the work of a student with whom they have a personal relationship
 - Not engage in romantic, intimate or sexual behaviour or relationships with current students, even when all parties have consented to the development of such a relationship, and even when the employee does

not currently have, or expect to have, any pedagogical or supervisory responsibility over the student

- Respect the student's right to privacy and dignity
 - Use professional, rather than personal email or social media for communicating with current students
 - Adhere to the College's Social Media Guidelines.
- d. **Respect for information:** Marianopolis is committed to the responsible management of the personal information of its students, employees, alumni, donors and others. In the performance of their duties, employees may be given access to this or other information that is confidential and/or sensitive. In keeping with the College's commitment, they are expected to:
- Access personal information on others only to the extent required to carry out their duties
 - Maintain strict confidentiality of personal information on others and use it only as necessary to carry out College duties
 - Refrain from disclosing or using non-personal confidential information except as authorized by the appropriate College authority
 - Manage access to information responsibly as authorized by law and in a manner that respects the privacy of others
 - Put procedures in place to protect confidential, proprietary or private information over which they have administrative authority
 - Adhere to the College's Policy for Responsible Use of Information Technology and other relevant policies.
- e. **Respect for property and resources:** The College must maintain the highest standards of stewardship of property and resources, both tangible (including buildings, College grounds, furniture, equipment, vehicles, computer systems, telephone, internet access and electronic mail systems, supplies, finances) and intangible (including use of facilities and services, intellectual property, logo, websites). All employees are expected to:
- Protect College resources and ensure they are used solely for valid College business and not for personal use, except as incidental or unless the employee has obtained expressed permission to do so
 - Manage resources efficiently, without waste or harm to the community or the environment
 - Establish and maintain adequate systems and controls to prevent and detect fraud, theft or other wrongdoing in relation to the College's property and resources over which they have administrative authority
 - Adhere to the College's Policy for Responsible Use of Information Technology.
- f. **Respect for rules:** All College community members are expected to act in compliance with the rules, procedures and policies that are in effect and govern the conduct of the College. Employees must therefore:

- Become familiar with the laws and regulations susceptible of governing the College, as well as with the College's rules, procedures and policies. Several of these are listed in the appendix which follows
 - Seek clarification when they are uncertain about these laws, regulations and College rules, procedures and policies
 - Within their area of responsibility, ensure that all teaching, pedagogical, extracurricular and/or business activities are conducted in compliance with applicable laws and regulations, as well as College rules, procedures and policies.
- g. Conflict of interest:** The College recognizes that accountability and transparency are essential for its operation. It is the ethical responsibility of everyone who acts on behalf of the College to ensure that decisions and actions are taken in the best interests of the College and not influenced by personal interests. To maintain public and professional trust and confidence, employees must:
- Withdraw from situations which give rise to or potentially give rise to a real or perceived conflict of interest situation.
 - Disclose any personal, professional or financial interests which may lead to a conflict of interest as soon as such a situation arises to their supervisor or the Director of Human Resources.
 - Avoid situations which give rise or potentially give rise to conflict of interest. Examples include, but are not limited to, the following:
 - Awarding or defining the terms of a contract or proposed contract the College may enter into, when the employee may obtain a personal advantage or benefit as a result
 - Participating in decisions regarding hiring, classification, promotion, evaluation, course allocation, discipline, compensation, benefits, expense claims or other personnel matters concerning a person with whom the employee has or has had a personal or family relationship
 - Exerting influence over the purchase of equipment, materials or services from a company in which the employee has a personal interest or relationship, family or otherwise
 - Accepting gifts or favours, other than those of nominal value, from individuals or firms with which the College does business or is contemplating doing business
 - Using information obtained in the performance of an employee's duties which is generally not communicated to the public for the advantage or benefit of the employee or a person with whom the employee has or has had a personal or family relationship
 - Participating in decisions regarding the admission, evaluation of or awarding of prizes, scholarships or financial assistance to a student with whom the employee has or has had a personal or family relationship.

3. UPHOLDING THE CODE OF CONDUCT

While the purpose of this policy is to educate, it also serves to regulate conduct in order to protect the College and its students. Conduct which fails to comply with this Code may result in discipline, or in the event of serious violation, dismissal. Any disciplinary measures including dismissal shall be taken in accordance with, and be subject to, the provisions of the relevant Handbook of Working Conditions or collective agreement, where applicable.

All employees are expected to help uphold the Code of Conduct by reporting possible instances of non-compliance to the Director of Human Resources. Reports will be examined according to the Procedure for Examining Non-Compliance with the Employee Code of Conduct as outlined in Appendix 3. Bad faith allegations as well as acts of retaliation against an employee for reporting non-compliance will be subject to discipline.

APPENDIX 1 - RELATED COLLEGE POLICIES AND PROCEDURES

Handbooks of Working Conditions and Relevant Policies and Procedures
Institutional Policy on the Evaluation of Student Achievement (IPESA)
Policy for Responsible Use of Information Technology
Psychological Harassment policy
Regulation for Compliance with Copyright in Software
Social Media Guidelines
Procedure for Examining Non-Compliance with the Employee Code of Conduct

APPENDIX 2 - VARIOUS IMPORTANT LAWS GOVERNING PRIVATE COLLEGES AND EMPLOYEES OF MARIANOPOLIS COLLEGE

Civil Code of Quebec S.Q. 1991, C-64

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/CCQ_1991/CCQ1991_A.html

2088. The employee is bound not only to carry on his work with prudence and diligence, but also to act faithfully and honestly and not to use any confidential information he may obtain in carrying on or in the course of his work. These obligations continue for a reasonable time after cessation of the contract, and permanently where the information concerns the reputation and private life of another person.

The legal interpretation is available on the Educaloï website:

<http://www.educaloï.qc.ca/en/capsules/being-loyal-your-employer>

Charter of Human Rights and Freedoms R.S.Q. Chapter C-12

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=/C_12/C12_A.html

Youth Protection Act Chapter P-34.1

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=%2F%2FP_34_1%2FP34_1_A.htm

39. Every professional who, by the very nature of his profession, provides care or any other form of assistance to children and who, in the practice of his profession, has reasonable grounds to believe that the security or development of a child is or may be considered to be in danger within the meaning of section 38 or 38.1, must bring the situation to the attention of the director (of Youth Protection) without delay. The same obligation is incumbent upon any employee of an institution, any teacher, any person working in a childcare establishment or any policeman who, in the performance of his duties, has reasonable grounds to believe that the security or development of a child is or may be considered to be in danger within the meaning of the said provisions.

An act respecting Access to documents held by public bodies and the Protection of personal information R.S.Q. Chapter A-2.1

http://www2.publicationsduquebec.gouv.qc.ca/dynamicSearch/telecharge.php?type=2&file=%2F%2FA_2_1%2FA2_1_A.htm

APPENDIX 3 - PROCEDURE FOR EXAMINING NON-COMPLIANCE WITH THE EMPLOYEE CODE OF CONDUCT

1. Upon receiving a complaint regarding possible non-compliance, the Director of Human Resources may undertake the following measures:
 - meeting with the employee who made the complaint or other individuals who may provide information
 - meeting with the employee alleged of failing to comply with the Code
 - accessing further information or files
 - consulting with internal or external professionals as required

The Director of Human Resources must use all reasonable efforts to keep the disclosure, including the identity of the person making the disclosure, confidential.

2. The Director of Human Resources determines if the complaint is warranted and which specific area(s) of the Code may be in non-compliance.
3. If the complaint is deemed to be warranted, the Director of Human Resources informs the employee alleged of the non-compliance of the complaint as well as his or her right to access documents and consult others in the preparation of a case. The Director of Human Resources may institute temporary action pending examination.
4. Upon conclusion of the examination, the Director of Human Resources renders a decision and informs the employee alleged of the non-compliance of such decision in writing, providing reasons and potential disciplinary action.
5. Any employee alleged of non-compliance has a right of appeal through the recourse procedure as outlined in the relevant Handbook of Working Conditions or collective agreement, where applicable.
6. The Director of Human Resources informs the employee who filed the complaint of the decision and the action taken.
7. The report is filed in a secure location with access limited to the Director of Human Resources and the Director General.

A member of senior management other than the Director General shall be appointed by the Director General to stand in for the Director of Human Resources in cases where the Director of Human Resources is unable to conduct an examination due to a conflict.