



CODE OF EMPLOYEE CONDUCT

1. DATE

Adopted by the Board of Governors on September 9, 2014. Last updated March 15, 2023.

2. PURPOSE

Marianopolis College is committed to promoting a work environment where all members of the community are treated fairly and with respect, while espousing a shared set of core values. 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 placed in them.

The guiding principle of this Code of Conduct is the promotion of an environment of respect, which is central to the wellbeing of the College, its students and employees. The dimensions of respect that support this 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.

3. SCOPE¹

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

4. 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.

¹ On March 27, 2018, the Board of Governors adopted a resolution whereby this code shall also apply to governors and any reference herein to employees shall be interpreted to extend to governors. The next revision of this policy shall ensure that governors are explicitly included in the scope of application.

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.

Employee: any person in a contractual employment relationship or internship with the College. This includes faculty, staff, managers, and interns, but excludes students.

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.

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.

Student: a person who is registered in one or more courses at the College or who has completed the previous semester at the College and is eligible to return in a following semester.

5. STANDARDS OF CONDUCT

5.1 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.

5.2 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 Psychological Harassment Prevention Policy.

5.3 Respect for 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 students, even if all parties have consented to the development of such a relationship, and even if 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 students
- Adhere to the College's guidelines on the use of social media.

5.4 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 Copyright Policy and the Privacy Policy.

5.5 Respect for property and resources: The College must maintain the highest standards of stewardship of property and resources, both tangible (including buildings, 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 guidelines on the responsible use of information technology.

5.6 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.
- Seek clarification when they are uncertain about these laws, regulations and College rules, procedures and policies
- Within their area of responsibility, ensure that all academic, extracurricular and/or operational activities are conducted in compliance with applicable laws and regulations, as well as College rules, procedures and policies.

5.7 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.
- 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.

6. 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 will be taken in accordance with, and be subject to, the provisions of the relevant working conditions handbook or collective agreement, where applicable.

Bad faith allegations as well as acts of retaliation against an employee for reporting non-compliance will be subject to discipline.

All employees are expected to help uphold the Code of Conduct by reporting possible instances of non-compliance to the Director, Human Resources², who will:

- Examine the possible instance of non-compliance, which may include:
 - 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
- Use all reasonable efforts to keep the disclosure, including the identity of the person making the disclosure, confidential

² In cases of non-compliance involving external governors, reports should be addressed to the Chair or the Vice-Chair of the Board of Governors, for examination by the Governance Committee, in accordance with article 12 of the College's Bylaws.

- Determine if the complaint is warranted and which specific area(s) of the Code may be in non-compliance
- If the complaint is deemed to be warranted, inform the employee alleged of the non-compliance of the complaint as well as their right to access documents and consult others in the preparation of a case
- Institute temporary action pending examination
- Upon conclusion of the examination, render a decision and inform the employee alleged of the non-compliance of the decision in writing, providing reasons and potential disciplinary action
- Inform the employee who filed the complaint of the decision and the action taken
- File the report in a secure location with access limited to the Director, 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, Human Resources in cases where they are unable to conduct an examination due to a conflict.

Any employee alleged of non-compliance has a right of appeal through the procedures as outlined in the relevant working conditions handbook or collective agreement, where applicable.

7. RELATED COLLEGE POLICIES

The following Marianopolis policies may be useful in further understanding the Code:

- Copyright Policy
- Institutional Policy on the Evaluation of Student Achievement (IPESA)
- Psychological Harassment Prevention Policy
- Privacy Policy
- Sexual Violence Prevention Policy
- Smoke-Free Policy
- Working conditions handbooks and/or collective agreements