

Level	Manual	Section	Originating Date	Revised	Reviewed
Regional	PMH Regional Policy and Procedure Manual	Human Resources	2015-Dec-23	N/A	N/A
Scope	Applies to all staff in the region				

Approved by: Penny Gilson, CEO

DEFINITIONS

Actual Conflict of Interest: A private pursuit which compromises an employee's position.

Perceived Conflict of Interest: The employee, through his/her private pursuit, creates the appearance of using their position for their private gain.

Conflict of Interest includes (but is not limited to) situations and/or activities that:

- Create a conflict between an employee's private affairs or financial interests and their work duties, responsibilities, and obligations, or that result in the public perception that a conflict exists.
- Impairs the employee's ability to act in the public interest.
- Places an employee in a situation that may compromise or undermine the trust which the public places in PMH.
- Deprives PMH of the time or attention employees require to perform their duties.
- Creates an obligation or distraction that would affect an employee's judgment or ability to act in the best interest of PMH.

POLICY

Prairie Mountain Health (PMH) aims to ensure a balance between the protection of the public interest and the protection of the employee's interest, while not interfering with legitimate personal activities of employees. Employees of PMH are required to disclose, in writing, all potential situations in which a conflict of interest may arise.

RESPONSIBILITIES

Employee

Employees may engage in remunerative employment with another employer, carry on a business, or receive remuneration from public funds for activities outside their position provided that:

- It does not interfere with the performance of their duties as an employee.
- It does not occur during their regular working hours (excluding employees on stand-by provided they are able to report for duty without undue delay when required).
- It does not shame, discredit, disrespect or disgrace PMH.
- The employee does not gain an advantage derived from their employment with Prairie Mountain Health.
- It is not performed in such a way as to appear to be an official act or to represent the opinion or policy of PMH.

- It does not involve the use of Prairie Mountain Health assets, services, equipment, or supplies to which the employee has access to by virtue of their employment.

Employees shall not:

- Demand, accept or offer or agree to accept gifts, excessive entertainment, rebates, commission, advantage, benefit or funds, either directly or indirectly, from any outside concern that either provides goods or services, seeks to provide goods or services or does business with PMH.
- Disclose or use information relating PMH for the personal profit of the individual or to the advantage of any business/agency entity in which the individual holds a position or has a financial interest.
- Engage directly or indirectly in any personal business transaction or private arrangement for personal profit which accrues from, or is based upon their official position or authority or upon confidential or non-public information which they gain by reason of such position or authority
- Have pecuniary or other interests that could conflict in any manner with the discharge of their duties unless otherwise approved.
- Divulge confidential or restricted information to any unauthorized person or release such information in advance of authorization of its release.
- Place themselves in a position where they are under obligation to other persons who might benefit from special consideration or favour, or who might seek preferential treatment.
- Accord, in the performance of their official duties, preferential treatment to relative or friends.
- Use facility property of any kind for activities not associated with the discharge of official duties, unless approved under standing policy.

Employees shall:

- Arrange their private affairs in a manner which will prevent conflicts of interest.

PROCEDURE

New Employees

All letters of offer identify the requirement to sign the Conflict of Interest Declaration Form, R.HR.GEN.120a. The policy and form is reviewed by the new employee prior to commencement of employment to determine if a conflict exists:

- a) If no conflict exists, the new employee signs Section 1 of the Conflict of Interest Declaration Form, R.HR.GEN.120a to confirm they are not currently in a situation of conflict. The signed declaration form is filed in the employee's confidential personnel file.
- b) If a potential conflict of interest is identified, the new employee completes Section 2 of the Conflict of Interest Declaration Form. The steps as outlined in the sections below are followed.

Disclosure

- Where an employee is concerned that they may be involved in an actual or perceived conflict of interest at the present time or in the future, they are required to make a disclosure.
- The confidential disclosure is made in writing, using Conflict of Interest Declaration Form, R.HR.GEN.120a.

- The disclosure provides all relevant facts of the situation, so that a decision can be provided.
- The Conflict of Interest Declaration Form is signed by the employee, and forwarded to their Manager/Director in an envelope clearly marked “Confidential”.
- The Manager/Director develops a plan of action to address the conflict and forwards to the appropriate Executive Management Team member for approval.
- It is the employee’s responsibility to update their declaration. Unless notified otherwise, the conflict is deemed to be in effect and the employee must abide by any action required.
- Where an employee has not disclosed and is found to be in a conflict of interest situation, appropriate disciplinary action may be taken

Ruling

- If necessary, the Manager/Director or designate discusses the issue with the employee.
- The Manager/Director, in consultation with the Regional Manager Labour Relations, determines the degree of conflict and direct the appropriate action required.
- In the event that a member of the Executive Management Team declares a conflict, the CEO in consultation with the Regional Manager Labour Relations determines the degree of conflict and direct the appropriate action required.
- A ruling is provided within sixty (60) days of receipt of the disclosure, or the employee is to be provided with reasons why a ruling cannot be provided within that time frame.

Conflict Exists

- Where a conflict of interest situation has been found to exist, the steps necessary to avoid the conflict is documented on the Conflict of Interest Declaration Form. These may include any number of actions up to and including divestment.
- The employee is responsible for ensuring that divestment, if necessary, takes place within an agreed upon time
- The Executive Management Team is notified of conflicts and corresponding actions required by the respective Vice President.

Records

- A copy of the disclosure statement, and Conflict of Interest Declaration Form, is placed in a sealed envelope in the employee’s personnel file.
- A central confidential file is kept with the Regional Manager Labour Relations to provide uniformity for rulings.

Appeals

- An employee who disputes a decision regarding a disclosure ruling may appeal the decision to the CEO. The CEO may hold a hearing to allow the department and employee maximum opportunity to resolve the issue within the department.

Examples

Examples include, but are not limited to the following situations which require disclosure:

Situation 1

You carry on a private business and use your PMH position to provide a source for business contacts, e.g. a physician, psychologist, nurse, etc., carries on a private practice outside office hours and refers patients to that practice who were referred to or treated by that employee in his/her capacity as a PMH employee.

Considerations:

- You are cautioned against involving yourself in a private business for remuneration, where the pursuit of this arrangement may be considered an extension of your position, and as such, and a conflict.
- You should not directly or indirectly solicit, market or otherwise products or services with a focus on PMH clients. This includes, but is not limited to: posting information/ads on Health Authority bulletin boards, utilizing Health Authority mailing lists or contacts, utilizing any client information.

Situation 2

You are a member of a board of an agency or organization which could apply for government grants or advocate policy changes to government.

Considerations

- While PMH may not prohibit you from participating in organizations or community groups or holding an elected office if you so choose, you are cautioned against participating in issues or activities related to policy, confidential working papers or otherwise contentious Regional Health Authority issues which could affect your credibility as a PMH employee.
- You should abstain from discussions/voting on issues which relate to PMH funding and your decision to abstain should be reflected in the minutes.
- You should abstain from working on policy issues where the positions of PMH and those of the agency or community group are or could become adversarial.

Situation 3

You, without the consent of PMH use material developed as a consequence of departmental employment in a private pursuit where you receive remuneration from outside sources for services or products rendered.

Considerations:

- Any material developed as an outcome of PMH employment is considered the property of the PMH and should remain the property of PMH.
- You are cautioned against publishing or otherwise distributing material to further a private pursuit where that material is considered to be the property of PMH.
- The use of this material could compromise the Regional Health Authority in any way.

Situation 4

You have a working relationship with a client derived from a position of influence or trust and as a result of this relationship, receive some form of personal benefit or gain. These benefits may include but are not limited to receiving gifts, financial remuneration, or other considerations from a client or his/her family.

Considerations

- You should not directly or indirectly ask for or receive any sum of money, services or matter or things from PMH clients.
- Any personal benefit or gain offered or available to you through a client should be declined or returned.
- You should not enter into or facilitate the establishment of any private arrangement with a client to trade, barter, buy or sell any material, goods or services.

Situation 5

You have a direct or indirect interest (financial or otherwise) in a business which provides services available through PMH programs.

Considerations

- You should abstain from entering any private business which may be considered an extension of your position, and as such, be in direct conflict with a PMH program.

SITUATION 6

You use PMH facilities, equipment, material or information to further any private activity.

Considerations

- You should not use PMH facilities (boardrooms, office space, office address, etc.), equipment (computers, photocopy machine, fax machine, etc.), material (paper, supplies, etc.) or information (not considered for public distribution) for any activities that are private in nature.

ASSOCIATED DOCUMENTS and POLICIES

[R.HR.GEN.120a, Conflict of Interest Declaration Form \(PMH633\)](#)

[R.SS.MM.365, Industrial Relations](#)