



Memorandum

Note de service

1000-1 (CFMWS)

1001-1 (SBMFC)

30 November 2016

Le 30 novembre 2016

CONFLICT OF INTEREST (COI) GUIDE

GUIDE SUR LES CONFLITS  
D'INTÉRÊTS

References: A. CFMWS Values and Ethics Policy  
B. CFMWS Conflict of Interest Policy

Références : A. Politique des SBMFC sur les valeurs et l'éthique  
B. Politique des SBMFC sur les conflits d'intérêts

1. Prevention and resolution of real, potential, or apparent conflict of interest (COI) is a cornerstone to the organization's integrity. Recognizing and mitigating a COI relies on good personal judgment, dialogue with colleagues and superiors, and general awareness of the organization's policies and directions.

1. La prévention et la résolution de conflits d'intérêts réels, potentiels ou apparents sont des mesures fondamentales à l'intégrité de l'organisation. Pour reconnaître de tels conflits et y remédier, il faut faire preuve d'un bon jugement, dialoguer avec ses collègues et ses supérieurs et être familier avec les politiques et les lignes directrices de l'organisation.

2. To assist CFMWS employees, the attached CFMWS Conflict of Interest Guide provides in depth information on the most common situations where COI may exist, how to avoid them and if they exist, how to resolve them. The Guide is an important tool in ethical decision making. All employees are to read the Guide, available at [www.cfmws.com/ethics](http://www.cfmws.com/ethics).

2. Afin d'appuyer les employés des SBMFC, le Guide sur les conflits d'intérêts ci-joint offre de l'information approfondie sur les situations de conflits d'intérêts les plus courantes, les moyens pour les éviter et la marche à suivre pour y remédier, le cas échéant. Il s'agit d'un outil important pour la prise de décisions en matière d'éthique. Tous les employés sont tenus de le lire au [www.sbmfc.com/ethique](http://www.sbmfc.com/ethique).

3. For more information or questions on this Guide, please contact the Senior Advisor Conflict Management, Kim Ann Chute, at 613-992-7667.

Pour d'autres renseignements ou pour toute question sur ce Guide, veuillez communiquer avec la conseillère supérieure en gestion des conflits, Kim Ann Chute, au 613-992-7667.

Le directeur général – Services de bien-être et moral,



Commodore Sean N. Cantelon  
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# Conflict of Interest Guide

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## 1. Introduction

Impartiality and good conduct are paramount for Canadian Forces Morale and Welfare Services (CFMWS) to maintain the trust of the Canadian Armed Forces (CAF) and their families, its stakeholders and the Canadian public. The CFMWS Values and Ethics Policy and the CFMWS Conflict of Interest Policy outline the requirements to meet this objective, but it also requires good judgment on the part of CFMWS employees in the manner by which we conduct ourselves, make decisions, and represent the organization.

CFMWS is a trusted organization and maintaining its reputation is vital. CFMWS employees must act at all times with the highest ethical standards.

This Conflict of Interest Guide is meant to provide assistance to employees when dealing with real, apparent or potential conflicts of interest. We are all responsible to ensure the prompt resolution of any type of conflict of interest, which is essential to maintaining the integrity and reputation of CFMWS. Employees who fail to meet this responsibility could be found culpable of unethical conduct and may be subject to disciplinary action up to and including termination of employment.

At times, it can be difficult to assess situations given the numerous considerations involved. Whether you are a new employee or a 30 year service employee, duties and circumstances change, policies are revised, and sometimes communications are unclear. Many cases of real, apparent or potential conflicts of interest do not arise out of an employee trying to manipulate a situation in order to derive a personal benefit or advantage. Instead, they often arise out of an employee not recognizing that they may be in a situation where their personal interests could be incongruent with the interests of the organization or their belief that they can manage the potentially competing interests or priorities and would be able to set aside their personal interests in favour of the organization's interests, if required. However, as public servants who must put the interests of the organization, the Government of Canada, and the Canadian public first, we cannot place ourselves in a situation where we would be required to choose between our personal interests and those of the organization in the conduct of our work.

The Conflict Management Office (CMO) is available to assist employees and managers with questions regarding this guide or any Conflict of Interest issues.

## 2. Definition of Conflict of Interest and Conflict of Duties

A **Conflict of Interest (COI)** is any situation in which there could be a clash between an employee's private interests and their responsibilities towards their employer/the organization for which they work. Any such situation creates the possibility that the employee's private interests could influence or be perceived to influence the performance of their duties and responsibilities. It can also create the possibility that the employee's position may allow them to derive a personal benefit or gain that wouldn't otherwise be afforded to them or wouldn't be afforded to other employees.

There are three types of COI. A *real* COI is one that exists at the present time, an *apparent* COI is one that could be perceived by a reasonable observer to exist, whether or not it is the case, and a *potential* COI is one could reasonably be foreseen to exist in the future.

CFMWS is a special organization in that our employees, at times, can also find that their duties within the organization can cause a conflict of interest with each other; this kind of conflict of interest is called a conflict of duties.

**Conflict of Duties** is any situation in which an employee has one or more concurrent or competing responsibilities within an organization. For example, if a CFMWS employee is also a member of an MFRC board of directors or part of a Base/Wing/Unit executive committee, then their responsibilities as a board or committee member may clash with their responsibilities as a CFMWS employee.

With both conflicts of interest and conflicts of duties, resolution is necessary to maintain the integrity of CFMWS. For ease of reference, the term COI in this guide reflects the requirements for both conflict of interest and conflict of duties.

### **3. How to Recognize a Conflict of Interest**

CFMWS employees contribute in a fundamental way to good government, democracy and Canadian society through the loyal, impartial, and non-partisan support they provide to serving CAF Members, veterans, and the families of both. As dedicated professionals, they serve the public interest and uphold the public trust in the institution that is CFMWS.

By resolving COI, CFMWS employees help maintain the CAF's and the public's trust in the impartiality of the organization. Left unresolved, a COI could also negatively affect the public's perception of the CAF community.

COI are not solely issues of possible financial gain; they can arise in any area of an employee's work. This section provides you with preliminary questions that may help you to identify if you may be in a COI situations. Additional questions are also available at Annex A – Considerations for Accepting Gifts and Hospitality and Annex B – Considerations for Relationships in the Workplace.

To begin assessing whether or not you have a COI, ask yourself:

1. Are you in a position where you could derive a benefit or gain an advantage from information, services or goods obtained in the course of your duties that are not yet available to the public or CFMWS employees in general?

Examples include:

- a. Having access to inside information that may impact the outcome of a contracting process and knowing someone who may wish to bid on that contract and could benefit from that information;
- b. Being able to get personal discounts on future services with a service provider that are not available to all CFMWS employees; and
- c. Being offered goods or perks from service providers that have not been distributed within the organization.

2. Are you directly or indirectly using CFMWS or DND/CAF resources, including property, to perform work outside of the role(s) for which you were given the access to these resources?

Examples include:

- a. Using technology including computers, phones, USB keys to perform work for another organization;
- b. Using office or gym space and equipment to conduct outside business activities;
- c. Using information about suppliers or sponsors for non-CFMWS sanctioned activities;
- d. Providing your CFMWS job title, email address, telephone number when performing work for another organization; and
- e. Wearing CFMWS issued clothing when conducting outside business.

3. Are you facilitating or aiding a private entity or person with whom you have, or have had, dealings outside of CFMWS to gain preferential treatment or an advantage in their dealings with CFMWS or DND/CAF that would *not normally* be afforded to them?

Examples include:

- a. Favouring suppliers who offer loyalty programs of which you are a member;
- b. Swaying the result of a contracting process to benefit or harm a particular contractor with whom you have or have had outside dealings; and
- c. Providing a private entity with confidential information regarding a future call for bids.

4. Are you engaged in any outside employment, activity, or political activity that could impair, or *be seen to impair*, your ability to perform your duties in an objective or impartial manner?

Examples include:

- a. Protesting a CAF military operation at home or abroad;
- b. Becoming a candidate or member of a political party; and
- c. Operating a business that competes directly with a local CFMWS outlet for clients.

5. Are you in a personal relationship with someone who works within CFMWS, or is seeking to work within CFMWS, where one of you has/would have or could/would be perceived to have influence over the employment, job or work of the other?

Examples include:

- a. The child of an operational manager has applied to work in that same operation;
- b. A contracting authority is considering his sister-in-law's business for a contract for services;
- c. An employee is a member of a selection board for a job competition and her close friend and roommate is a candidate; and
- d. A person is being considered for a job that has verification or control measure responsibilities for the work of their sibling.

This list of questions is not exhaustive. More information regarding COI that can arise within the workplace is provided in the following pages, under each specific heading.

## 4. How to Resolve a Conflict of Interest

A COI is assessed on a case-by-case basis, but there are common steps that must be taken to resolve them.

If a COI exists, then a CFMWS employee is required to:

- a. advise their supervisor/manager;
- b. provide all necessary information so that appropriate resolution options and mitigating strategies can be identified; and
- c. complete and submit a COI Declaration Form for approval by the respective Division Head.

Factors to consider in determining mitigating strategies include, but are not limited to:

- a. the level of risk to the organization (for example, low, med, and high);
- b. the stakeholders and the impact of a possible COI on each (for example, increasing workload on other staff); and
- c. the duration of COI (temporary COI may be easier to resolve or have more resolution options).

Resolution options for specific workplace COI are provided in the following pages, under each specific heading.

If you are still unsure about how to resolve your conflict of interest after reading this guide, speak to your manager or the Conflict Management Office (CMO).

## **5. Specific Areas for Conflict of Interest**

### **5.1 Gifts and Hospitality**

In general, CFMWS does not encourage employees to accept any gifts or hospitality. Doing so can quickly undermine the individual's and the organization's integrity and fairness and often results in a conflict of interest.

#### **5.1.1 Gifts or Hospitality for Employees**

On occasion, employees may be given a gift or provided with hospitality in the course of their duties.

Acceptance of these gifts and hospitality is acceptable as long as the following conditions are met:

- a. The value of the gift or hospitality is less than \$50;
- b. The gift or hospitality is infrequent;
- c. The gift or hospitality is part of the normal standards of courtesy or protocol;
- d. The gift or hospitality results from activities or events related to your CFMWS duties; and
- e. The gift or hospitality does not compromise or appear to compromise the integrity of you or your Division.

#### **5.1.2 Contests and Prizes**

On occasion, it is possible for CFMWS employees to be entered into a contest or receive a prize for their participation in work sponsored events, such as conferences, training, etc. Under the CFMWS Conflict of Interest Policy, these prizes are considered gifts.

Small tokens and promotional items, such as coffee cups and ball caps, may be acceptable provided that they meet the criteria for gifts and hospitality outlined above.

Any items that fall outside of the criteria for gifts and hospitality are considered CFMWS assets, since the event was paid for by CFMWS funds.

Employees responsible for organizing a contest on behalf of the organization are forbidden from entering the contest or winning the prize.

In order to determine whether or not you are entitled to retain the prize, ensure you obtain approval from the Division Head.

### **5.1.3 Hospitality related to CFMWS Duties**

If the hospitality is necessary for the employee(s) to perform their CFMWS duties, such as tickets to attend an event on behalf of the organization, it is not considered a gift or hospitality under the COI policy. However, approval from Division Head is still required.

### **5.1.4 Gifts or Hospitality for the Organization**

Employees must ensure that any gifts received from outside entities or individuals with whom the organization has past, present or potential official dealings are managed appropriately. Any resulting organizational conflict of interest needs to be resolved in the public interest.

Where it is impossible to decline gifts, hospitality or other benefits that do not meet the criteria set out above or where it is believed that there is sufficient benefit to the organization to warrant acceptance of certain types of hospitality, CFMWS employees are to seek written direction from the Division Head. In cases where the gift is large or of significant value, the Division Head should redirect the gift to the CAF community's benefit.

Sponsorship and donations for the organization is managed under the Sponsorship and Donations Policy.

### **5.1.5 Possible Resolutions for Gifts and Hospitality COI**

In order to resolve a conflict of interest related to gifts and hospitality you will need to file a COI declaration form. Consider the following information to resolve the COI:

- a. Should the gift be considered an CFMWS asset, guidelines on the disposal of CFMWS assets will apply;
- b. If the gift does not meet the minimum policy requirements, you should attempt to return or decline accepting the gift to the donor/supplier;
- c. It is acceptable to advise that CFMWS does not as a practice accept gifts or hospitality. While gifts and hospitality are common in the private sector, most donor/suppliers are aware of the restrictions on employees;

- d. If the gift was intended for more than one person, then the gift may be shared between employees, or names may be chosen at random (should the gift be limited); and
- e. If the gift is worth more than the \$50 value, approval from the Division Head is required.

For additional considerations when accepting gifts or hospitality, please see Annex A.

**Note:** It is up to the Division Heads to determine if any acceptance of gifts will be allowed within the Division. For more information on what is allowed within your Division, communicate with your Division Head.

**Note:** Some Divisions have developed specific directives concerning gifts and hospitality. Those directives apply, along with the CFMWS rules, for employees of those Divisions. Divisional directives shall be aligned with those of CFMWS and shall not exceed the benefits and monetary values of the COI policy without express permission from the CEO.

## 5.2 Loyalty Programs

Loyalty programs, such as points and rewards, are designed to make customers want to come back. This could create the perception of favouritism to the supplier. Loyalty programs could also lead to the perception that the employee is receiving a benefit not available to *others in the organization*.

### 5.2.1 Designated Travel Card

Provided that there are no additional costs to the organization, employees travelling for business can:

- a. join loyalty programs;
- b. collect benefits from loyalty programs for travel specific purchases made on their designated travel card; and
- c. retain benefits offered by the travel industry for business or personal use.

~ NPP Travel Directives 1.2.1

### 5.2.2 Loyalty Benefits on Corporate Purchases (Non-travel Related)

Employees are not allowed to collect benefits from loyalty programs for corporate purchases.

If any benefits are collected from loyalty programs for corporate purchases, they must go back to the organization.

~ Accounting Policies and Procedures (A-FN-105) Chapter 12

## 5.3 Other Employment and Activities

The CFMWS Conflict of Interest policy does not preclude an employee from participating in other employment or activities within or outside of CFMWS, whether through an employment relationship, a business relationship or as a volunteer, as long as it does not give rise to a COI with their CFMWS responsibilities.

Though it might seem unlikely that activities such as hobbies, clubs or volunteer activities could come into conflict with your CFMWS duties, it is possible. That is especially true for employees who live within the communities they serve or who engage in activities that are connected with or related to the profession, industry or service of their CMFWS job.

### 5.3.1 Other Employment or Activities within CFMWS/DND/CAF

Unless precluded by a Collective Agreement or policy, engaging in other employment or activities within CFMWS, including entering into Contracts for Service with the Government of Canada, CFMWS, DND or the CAF (where you are an official party to the contract), is permitted, as long as:

- a. your primary CFMWS job does not have any influence over the other employment or activity and your primary CFMWS job is not involved in the contracting/staffing process or decision;
- b. no CFMWS resources of your primary CFMWS job are utilized for the other employment or activity, unless explicitly approved by CFMWS;
- c. there is no conflict in schedules between your primary CFMWS job and the other employment or activity and the work of the other employment or activity is not done during the working hours of the primary CFMWS job;

- d. unless expressly permitted by CFMWS, you are not using sensitive, confidential or privileged information obtained in the course of your primary CFMWS job that would otherwise not be obtained or accessible in the course of the other employment or activity;
- e. you have not used your primary CFMWS position to promote the other employment or activity without CFMWS' permission; and
- f. the other employment or activity does not interfere with your primary CFMWS employment or call into question your ability to perform your primary CFMWS job.

### **5.3.2 Outside Employment and Activities outside CFMWS/DND/CAF**

Outside employment and activities, including participation on a non-CAF community Board of Directors or volunteering with a non-CAF community organization is acceptable as long as:

- a. no CFMWS resources, including contact lists, are utilized in your outside employment or activity;
- b. you are not using information that is obtained in the course of your CFMWS employment and that is not generally available to the public in your outside employment or activity;
- c. you have not used your CFMWS position to promote your outside employment or activity to CFMWS clients;
- d. duties of your outside employment or activity are performed on your own time (outside of working hours); and
- e. the outside employment or activity does not interfere with your CFMWS employment or call into question your ability to perform your official duties.

### **5.3.3 Other Benefits or Income from Government of Canada, CFMWS or DND/CAF Contracts**

Employees who are not an official party to a contract with the Government of Canada, CFMWS, or DND/CAF but who receive direct or indirect financial or non-financial benefits from that contract are required to report the arrangement to their Division Head. If the benefits constitute income from being employed by the organization who is party to the contract and the employee was not involved in the contracting process or decision, then please refer to the sections above.

The Division Head will determine whether the arrangement presents a COI and may require that the contract to be modified or terminated.

#### **5.3.4 Honorariums**

Involvement in other activities (e.g. participation on a Board of Directors), whether within or outside of CFMWS, may result in being provided honorariums for the time or service.

Accepting honorariums is satisfactory as long as:

- a. they are not related to your CFMWS employment, and
- b. the work or activity was conducted on your own time (outside of work hours).

#### **5.3.5 Possible Resolution for Other Employment or Activities COI**

In order to resolve a COI between your other employment or outside activities and your [primary] CFMWS duties, you must file a COI declaration form. Consider the following information to resolve the COI:

- a. If a COI exists with the other employment or outside activity, then the CFMWS employee may be required to chose between accepting specific mitigating measures determined by the Division Head, ceasing the other employment or outside activity or resigning from their [primary] employment with CFMWS;
- b. Should the benefit or income received from a Government of Canada, CFMWS or DND/CAF contract not be acceptable, the CFMWS employee may be required to chose between accepting specific mitigating measures determined by the Division Head, ceasing to receive the benefit or income or resigning from their employment with CFMWS; and
- c. Should receiving an honorarium not be acceptable, the CFMWS employee may be required to return the honorarium.

## **5.4 Personal Assets**

Personal assets are items owned by an employee, such as financial investments, companies owned in full or in part by the employee, or real property, like houses and land.

### **5.4.1 Acceptable Personal Assets that are linked to the Government of Canada, CFMWS or DND/CAF**

Personal assets (e.g. shares in an outside business) that may have a link to the Government of Canada, CFMWS or DND/CAF are acceptable as long as:

- a. it is not part of your CFMWS duties to be make decisions about whether or not your asset will be used or contracted by the Government of Canada, CFMWS or DND/CAF;
- b. decisions relating to your personal assets are not knowingly affected by information that is obtained in the course of your CFMWS duties and that is not generally available to the Public;
- c. the carrying out of your CFMWS duties does not result in the acquisition of personal assets, such as a business investment (ownership in stock), real property, income, business position, or gifts; and
- d. the asset does not interfere with your CFMWS duties or call into question your ability to perform your official duties.

### **5.4.2 Possible Resolution for Personal Assets COI**

In order to resolve a conflict of interest between your personal assets that are linked to the Government of Canada, CFMWS or DND/CAF and your CFMWS duties you will need to file a COI declaration form.

If a conflict of interest exists with the personal asset, the CFMWS employee may be required to choose between either accepting specific mitigating measures determined by the Division Head, if applicable, divesting from the asset or resigning from their employment with CFMWS.

CFMWS employees may not sell or transfer personal assets to family members or anyone else for the purpose of avoiding a compliance requirement.

## 5.5 Personal Relationships

Personal relationships with potential/current employees, contractors or other business associates are common occurrences in any organization and are acceptable within CFMWS as long as they do not present a COI with their CFMWS responsibilities.

A personal relationship with someone associated with CFMWS is deemed to have given rise to a COI if one of the people in the personal relationship does or would have been perceived to have influence over the other person's work or professional association with CFMWS. For simplicity's sake only, for the remainder of this section we will refer to the person that does or would have been perceived to have the influence as "the supervisor" and the other person as "the worker". "The supervisor" refers to anyone who is responsible for any of the following tasks, or is in the chain of command of someone responsible for any of the following tasks, even if they don't directly or indirectly supervise the worker:

- a. determines the work;
- b. administers the process for contracting or staffing the work;
- c. is part of staffing or contracting decisions for the work;
- d. determines/negotiates the terms and conditions of the contract for the work;
- e. supervises or manages the work;
- f. audits, reviews or verifies their work;
- g. employs fraud/theft prevention or control measures over the work; or
- h. safeguards sensitive, privileged or confidential information from disclosure to the worker.

COIs involving personal relationships can be one of the most sensitive to identify and resolve, considering the potential impact it can have on the individuals involved, the risks to the organization and scrutiny from other employees and the Public. Similar to Public service organizations, COIs involving personal relationships are strictly prohibited within CFMWS because the supervisor's personal interests could potentially improperly affect, or be perceived to affect, the behaviour of the supervisor, his/her staff or others

over whom the supervisor has influence, regardless of whether or not that's the case. Examples of potential improper behaviour include:

- a. Preferential treatment of the worker in job competitions, assignment of work or tasks, scheduling of hours of work/meals/breaks, selection for training and development opportunities, provision of awards and recognition, etc.;
- b. Inadequate management of the worker's work, performance or conduct;
- c. Reluctance or failure to identify or address the poor performance or potential misconduct of the worker;
- d. Collusion, fraud or theft with the worker;
- e. Sharing confidential or sensitive information that would normally not be shared;
- f. Lack of proper verification, review or oversight of the worker's work;
- g. Lack of fraud/theft prevention or control measures over the worker's work; and
- h. Abuse of authority, harassment or retaliation in defence of or for the benefit of the worker.

Employees need to avoid developing personal relationships within the workplace that would interfere with their duties or call into question their ability to perform their duties. If a personal relationship interferes with either employee's duties, both employees must file a COI Declaration Form with the Division Head.

### **5.5.1 Family**

In light of the above, employees also cannot work in positions where one family member has a real, apparent, or potential influence over the work or employment of another family member.

If a familial relationship develops after the fact and creates a situation where one employee has a real, apparent, or potential influence over the work or employment of the other, both employees must file a COI Declaration Form with the Division Head.

~ HR Pol Annex 1 D

## **5.5.2 Recruitment and Selection**

If an employee involved in a recruitment and selection process is in a real, apparent or potential COI due to a personal or family relationship, then the employee must notify the Division Head so that steps can be taken to address the potential influence of the real, apparent or potential conflict of interest over the recruitment and selection process.

~ HR Pol Annex 1 D

## **5.5.3 Possible Resolution for Relationship COI**

In order to resolve a COI related to relationships in the workplace, the employee will need to file a COI declaration form.

If a COI exists with or as a result of a personal or family relationship, one or both CFMWS employees may be required to choose between accepting specific mitigating measures determined by the Division Head, or resigning from their employment with CFMWS.

For additional assistance in determining if a personal relationship could be a COI, please see Annex B.

## **5.6 Political Activities**

### **5.6.1 What are political activities?**

Political Activities are defined under part 7 of the Public Service Employee Act (PSEA):

“Political activity” means:

- a. carrying on any activity in support of, within, or in opposition to a political party;
- b. carrying on any activity in support of, or in opposition to, a candidate before or during an election period; or
- c. seeking a nomination as or being a candidate in an election.

## **5.6.2 Self Assessment**

Prior to seeking approval, employees should self-assess their activities for real, apparent, or potential COI. CFMWS applies the spirit and intent of the Public Service Commission's regulations on political activities and non-partisanship, therefore the Public Service Commission guidance on federal employees' involvement in political activities is a helpful place to start a self-assessment.

## **5.6.3 Possible Resolution for Political Activities COI**

Employees intending to participate in a political activity are required to seek guidance and report the activity to their Division Head. Once the Division Head has reviewed the request, approval must be sought from the CEO.

## **5.7 Social Media**

Bearing in mind the highly public nature of the internet, employees must be sensitive to the real, apparent, or potential COI that can arise from messages and information transmitted via social media.

### **5.7.1 Professional Use of Social Media**

Use of social media in a CFMWS capacity must comply with the CFMWS Social Media Policy and must have been approved by the Division Head.

### **5.7.2 Personal Use of Social Media**

Employees using social media for personal use are expected to be mindful of their professional association with CFMWS.

Once something is transmitted via social media it is on the internet forever. Maintaining the impartiality of the CFMWS requires employees to remain professional in their use of social media and to do nothing that could hurt the reputation of CFMWS.

## **5.8 Solicitation**

### **5.8.1 Fundraising in Your Workplace**

Unless part of their CFMWS responsibilities, employees are not allowed to solicit funds, or fundraise, at work other than for the NDWCC Workplace Charitable Campaign, Support our Troops (SOT), or those approved by DND/CAF.

Passive solicitation is typically seen as acceptable in the workplace.

Examples of passive solicitation include:

- a. Leaving a fundraising item, like chocolate bars or cookies, in a communal area of the workplace with an envelope for payment, or
- b. Your co-worker seeking you out to buy raffle tickets after you mentioned in a communal area of the workplace, while on break, that your child's sports team was fundraising.

Passive solicitation is typically acceptable as long as:

- a. you do not directly solicit your coworkers to purchase an item or donate money;
- b. no CFMWS resources are used in fundraising; and
- c. the work or activity was conducted on your own time (outside of work hours).

**Note:** It is up to the Division Heads to determine if passive solicitation will be allowed within the Division. For more information on what is allowed within your Division, communicate with your Division Head.

### **5.8.2 Using CFMWS Donor/Sponsorship Information or Official Contacts**

Employees are not allowed to use CFMWS donor/sponsorship information or the contacts they have a result of their official duties for personal fundraising.

### **5.8.3 Possible Resolution to Solicitation COI**

In order to resolve a COI related to fundraising in the workplace you will need to file a COI declaration form.

If a COI exists with the fundraising, employees may be required to choose between accepting specific mitigating measures determined by the Division Head, if applicable, ceasing the fundraising activity, or resigning from their employment with CFMWS.

## **6. Division Specific Directives**

The information provided in this guide is based on corporate policies and directives that apply to all CFMWS employees.

Some Divisions have developed divisional specific directives regarding items within this handbook (ex: the PSP Directive on Points and Rewards). In that case, the division specific directive must be applied in conjunction with the rules outlined in this guide.

## **7. Filing a Conflict of Interest (COI) Declaration Form**

An employee should file a COI Declaration Form within 60 days of starting their employment, if they perceive a real, apparent or potential conflict of interest between their personal life and their CFMWS duties. Another Declaration Form should be filed within 60 days of any subsequent appointments (including promotions, demotions, transfers, appointments or secondments), if necessary.

On a regular basis thereafter, and every time a major change occurs in their personal situation or CFMWS duties, every employee is required to review his or her obligations under the Conflict of Interest policy.

The COI Declaration Form is held on the employee file for as long as the COI exists.

## Annex A

### Considerations before Accepting Gifts and Hospitality

Before accepting any gift or hospitality from any category, consider:

- Could accepting the gift or hospitality place you or the organization under an obligation to the donor or create the perception that you or the organization are under an obligation to the donor?
- Could accepting the gift or hospitality give the impression that you or the organization are acting out of favouritism?
- Could accepting the gift or hospitality give the impression that you are receiving a benefit not available to other employees?
- Is CFMWS currently in or anticipating a contract for services with the donor/supplier?

**If the answer to any of these questions is yes, you must decline accepting the gift or obtain approval from your Division Head before accepting the gift.**

## **Annex B**

### **Considerations for Personal Relationships in the Workplace**

Questions to consider when assessing if a personal relationship could be a real, apparent, or potential conflict of interest:

With potential or current employees:

- Is there a chain of command relationship between one person's position and the position that the other holds or is seeking to hold?
- Does one person's position have the authority to create or fund the position that the other holds or is seeking to hold?
- Does one person's position have the authority or influence over the staffing process for the position that the other seeks to hold?
- Does one person's position have the authority or influence over hiring decisions for the position that the other seeks to hold?
- Does or would one person's position have the responsibility or authority for determining/negotiating on behalf of CFMWS the terms and conditions of the other's employment?
- Does or would one person's position have direct or indirect responsibility or accountability for the management of the performance and conduct of the other, including the authority/responsibility for imposing informal or formal disciplinary action or performance improvement plans or providing input or advice regarding such decisions?
- Does or would one person's position have direct or indirect responsibility or accountability for making decisions regarding the termination of the other's employment or providing input or advice regarding such decisions?
- Does or would one person's position have the responsibility for determining the hours of work, work schedule, meals or break periods of the other?

- Does or would one person's position have authority or influence over the assignment or supervision of the other's day-to-day tasks or projects?
- Does or would one person's position have authority or influence over training and development opportunities or the provision of awards and recognition for the other?
- Could or would the responsibilities of the two positions create the ability for the two people to engage in collusion, fraud or theft that would be undetectable or difficult to detect by the organization?
- Does or would one person's position have authority to audit, review/oversee or verify the other's work?
- Does or would one person's position have the responsibility for employing fraud/theft prevention or control measures over the work of the other?
- Does or would one person's position have access to sensitive or confidential information that would normally not be shared with someone holding the other's position?

With potential or current contractors or other business associates:

- Is the employee in the chain of command of the operation that is or would be in business with the contractor/business associate?
- Does the employee have the authority to create or fund the work of the contractor/business associate?
- Does the employee have access to privileged, sensitive or confidential information that could help the contractor/business associate in a CFMWS contracting/RFP/selection process?
- Does the employee have authority for or influence over the contracting/RFP/selection process that the contractor/business associate is involved in?
- Does the employee have authority or influence over the choice of contractors/business associates for work that the contractor/business associate is providing or wishes to provide?
- Is the employee responsible for determining/negotiating the terms of the contract/agreement or establishing the statement or work on behalf of CFMWS?

- Is the employee responsible for overseeing/supervising the work of contractor/business associate or managing the contractual relationship on behalf of CFMWS?
- Would the employee have the authority/be responsible for making decisions regarding the termination of the contract/business agreement on behalf of CFMWS or providing input or advice regarding such decisions?
- Would the responsibilities of the employee and the work of the contractor/business associate create the ability to engage in collusion, fraud or theft that would be undetectable or difficult to detect?
- Is or would the work of one employee be responsible for auditing, reviewing/overseeing or verifying the work of the other?
- Is or would the work of one employee be to engage fraud/theft prevention or control measures over the work of the other?
- Does the employee have access to sensitive or confidential information that would normally not be shared with a contractor/business associate?

**If the answer to any of these questions is YES, then a COI may exist and a COI Declaration Form must be completed and submitted to the Division Head.**