

CVS POLICY & PROCEDURE MANUAL

Policy Area: **Human Resources**

Policy #:
Policy Name: **6.11 Ethical Conduct & Conflict of Interest**

Group: All Staff, Volunteers,

Purpose:

The objective of the following policy is to ensure that employees and volunteers understand what is expected of them with regards to their conduct in the workplace. Any conflicts of interest are to be revealed and the best interests of the consumers of service are kept at the forefront of all their actions.

Policy Statement:

CVS employees and volunteers will conduct themselves in such a manner as to retain the trust and confidence of the individuals the Association supports, their families, the Board of Directors, other staff, the membership and community members in general.

CVS employees and volunteers will report to the Executive Director or designate any situation that creates a conflict of interest or is a violation of the code of ethics that would bring into question their ability to be objective and to act in the best interest of the individuals and families that we support.

Practice Standards:

All employees and volunteers must review and sign the CVS Code of Ethics according to their status. Further all employees and volunteers must declare, in writing, any possible conflict of interest.

All employees and volunteers will follow the Standards of Conduct Guide as it applies to them located at the end of this section.

Employees or volunteers who breach these policies may be subject to disciplinary action up to and including dismissal.

Employees are expected to report violations. There will be no reprisals for reporting and allegations will be investigated within 30 days.

Policy Audit: March Annually

Date Issued: March 22, 2004

Date Revised:

Position

Responsible: Executive Director or designate

References:

- ✍ Standards of Employee Conduct Guide (attached)
- ✍ HR 6.11.A - Code of Ethics Form (staff)
- ✍ HR 6.11.C - Code of Ethics – (Volunteers and Practicum Students)
- ✍ HR 6.11.B - Conflict of Interest Form

CVS POLICY & PROCEDURE MANUAL

STANDARDS OF EMPLOYEE CONDUCT GUIDE

Alcohol, Drugs & Prescription Drugs

It is unacceptable for staff to be under the influence of alcohol or drugs (including prescription drugs) which could impair their work performance during working hours. It is unacceptable for employees to consume alcohol or drugs during work hours, either in the work setting or in the community.

Staff who report for work under the influence of alcohol or drugs are compromising the health and safety of clients, co-workers and the reputation of the organization and will be relieved from their work duties immediately. Staff who miss work due to the above circumstances will not be paid for time lost.

CVS policy on alcoholism and drug dependence is that: alcoholism or problem drinking and drug dependency are illnesses which require treatment.

It is the responsibility of the employee to seek treatment at the earliest possible moment.

Sub-standard performance due to alcoholism or drug dependency, as in any form of illness, will not be tolerated. Treatment will be supported by the employer in a manner outlined in the organization's policies.

Storage, possession or consumption by staff members of alcohol or drugs on **CVS** property and/or while on duty is prohibited.

Violation of this policy will be grounds for discipline up to and including termination.

Procedure:

On a first offence, the employee shall be sent home for the remainder of the shift without pay and given a written warning regarding the seriousness of the incident. The employee will be encouraged to seek professional counselling.

On a second offence, the employee will face serious disciplinary measures up to and including dismissal.

Employees reporting for duty or found on duty in a condition of prescription/non-prescription medicinal drug impairment that interferes with job performance will be sent home on sick leave, and may be required to supply a doctor's certificate.

Appropriate Dress and Personal Appearance

All employees will report for work dressed in an appropriate professional manner. Personal appearance, including clothing, jewellery, and grooming, shall be neat and clean, and shall reflect standards of decency, utility, health and safety and meet the community standard for work attire. All staff and participants must observe general rules of hygiene and maintain a high level of cleanliness.

Clothing should be in good repair. In general, long pants, skirts or dresses of knee length or longer and shirts or tops that are modest are advised. Some discretion may be used to wear more casual attire when it is appropriate to the activity in which you are supporting the client such as "walking shorts" only if they are of a length that is suitable to the work performed. Tops that do not

CVS POLICY & PROCEDURE MANUAL

adequately cover up the staff person in a manner appropriate for their work are unacceptable.

Appropriate Dress and Personal Appearance (continued)

Bare feet, midriff tops, spandex, short or torn shorts are only appropriate for the beach or exercise class. Expensive items of clothing or jewellery are worn at the risk of the employee.

Long hair will be secured off the shoulders when providing direct care, when preparing, handling or serving food.

Rings with stones or crevices, bracelets, large loop or dangling earrings and wristwatches will be removed when providing direct care/preparing or handling food.

Dangling chains will be removed or worn inside clothing when providing direct care/preparing or handling food.

Employees providing direct care or preparing or handling food will keep their fingernails short and clean.

Workers Compensation Board GB Part 8 – Footwear requires that “A workers footwear must be of a design, construction, and material appropriate to the Protection Required”. Therefore, staff directly supporting program participants are required to have footwear with closed heel and toe.

Attendance/Lateness/Absenteeism

It is the responsibility of every employee to attend work as scheduled on a regular and consistent basis. Employees are expected to be punctual and ready to commence work at the start of their scheduled shifts and to remain on duty until the stipulated quitting time.

Employees who are unable to report to work at the scheduled time must advise their supervisor as soon as possible but a minimum of 1 hour in advance so that necessary arrangements can be made. Where relief staff need to be called in, it is crucial to program operation that employees give as much advance notice as possible. See Policy 6.5 on Relief Booking-Sick Calls or Emergency Relief Bookings for procedure.)

Leaving the work place without permission during work hours is unacceptable employee conduct.

Employees who are incapable of providing regular, consistent attendance may fail to meet the requirements for continued employment. Attendance is considered a criterion of performance and is measured when assessing overall employee performance at work.

Change of Address and or Telephone Number

It is the responsibility of each staff member to keep the employer informed at all times of any changes in their name, address, telephone number, marital status or number of dependants. These changes should be given to the supervisor. (These changes are required for call-back, benefit entitlement and other official communications.)

CVS POLICY & PROCEDURE MANUAL

Change of Address and or Telephone Number (Continued)

When resigning from the organization, a forwarding address must be filed with the accountant to ensure the employer can forward income tax T-4 slips and other relevant documentation.

Children and family members of Employees' at the Worksite

CVS's intent is to create a 'family-friendly' environment. This intent must be balance with accountable, diligent and safe care for the consumers of service and the children of our employees.

1. Children of employee's must not stay overnight in a residence, under any circumstances.
2. Short visits may be appropriate when in the best interests of the consumers of the service however it must not be a regular practice of having family members at the work site during working hours.
3. If the Supervisor or co-workers feel that the family members are at risk at any time they will be asked to leave immediately.
4. Should an employee have a "day care emergency" that results in them bringing their children to work, the emergency must be resolved within an hour or the employee is to arrange for a casual employee to cover their shift. The employee will be not be paid for the shift.

Conduct and Behaviour

Community Ventures Society exists to fulfil the needs of those members of our community who require certain services that we provide. Participants need support and their needs take precedence over other consideration.

It is the primary obligation of each staff member to serve the consumers of the Society's services with dignity, respect and courtesy, and to do so in accordance with its policies and procedures. The use of abusive language, showing disrespect for participants, or fellow employees or engaging in sexual or other forms of personal harassment will not be permitted.

While friendly or professional relationships between employees and participants are acceptable and indeed are expected, employees are prohibited from participating in or initiating intimate or sexual relationships with participants, both during and outside of work hours, while employed with this organization. Breach of this policy is cause for dismissal.

Each staff member shall:

- ? hold themselves responsible for the quality of their performance and execute their duties with sound judgement and common sense.
- ? ensure that all information acquired in the course of his/her duties will be treated in the strictest confidence, and understand that the obligation to maintain confidentiality continues indefinitely.
- ? work co-operatively with and treat co-workers, families and participants with respect.
- ? use approved channels of communication to express matters of concern, starting with the individual involved, moving onto the next level of supervision.

CVS POLICY & PROCEDURE MANUAL

Conduct and Behaviour (continued)

When groups of staff are together supporting a number of consumers, the focus must be on the consumer. Congregations of staff during participant hours will be avoided.

Since gossip and negativity amongst staff is detrimental to co-workers and the organization, employees will find respectful ways of discouraging this behaviour.

Participant schedules and activities will be related to their program goals. A guideline to follow will be "what does this activity teach or accomplish?" Staff will not do personal errands, shopping mall excursions and visits to their home unless these activities are approved in advance with the supervisor.

Confidentiality

All knowledge or information regarding the individuals supported by the Association, their families or co-workers, which an employee has access to, by reason of their employment with the Association, is considered confidential and privileged. Without due authorization from the Association or person, the employee may not disclose or make known privileged information. Release of confidential information, when authorized, shall be on a need-to-know basis.

This does not prevent employees or Board members from reporting abuse or negligence to the appropriate authorities. It is the obligation of all to report abuse and neglect in the case of any and all community members including information learned through employment or volunteer arrangements.

See the Service Delivery Policy 5.6 to reference the requirements with regards to "Client Confidentiality" for the individuals supported by the Society.

When confidential information is requested, employees must state that they are not authorized to release any information concerning participants, employees or agency affairs, and should then refer the individual requesting information to the Executive Director or appropriate supervisor.

Any requests for information regarding Community Ventures Society and / or specific employees will require:

- a) Written consent of the individual involved to release the information;
- b) Review on a case-by-case basis by the Executive Director who may in his / her discretion determine whether or not such information should be released and in such event may consider the best interest of CVS and the employee and any other factors she / he deems appropriate.

CVS POLICY & PROCEDURE MANUAL

Confidentiality (Continued)

Under no circumstances will any person working in or for Community Ventures Society use any such information to his/her personal advantage. Violation of this policy may result in dismissal.

Conflicts of Interest Including Working for another Employer while working for CVS, Receipt of Gifts, and Purchasing /Selling of Goods and Services

Employees who are direct relatives of each other, or who are direct relatives of consumers receiving service at CVS, may not engage in supervision of the relative. This restriction may be waived if sufficient safeguards are in place to ensure the interests of consumers and CVS are not compromised.

An employee must disclose any financial or personal interest, direct or indirect, which s/he may have that may conflict with Community Ventures Society, or which may otherwise have bearing upon any transaction or business in which CVS may have or contemplate having an involvement. This applies whether such interest arises due to personal affairs, employment, office or other association. In such circumstances, the employee is expected to declare the conflict of interest and remove themselves from influencing decision making in the matter.

Employees may engage in remunerative employment with another employer or carry on business provided that:

- ? It does not interfere with the performance of their duties
- ? It does not bring the Society into disrepute
- ? An advantage is not derived by way of employment with CVS
- ? The work is not performed in such a way as to appear to represent CVS
- ? It does not involve the use of CVS premises, services, equipment or supplies
- ? It does not conflict with the best interests of CVS

The purchasing and selling of goods or services between staff and participants, and/or their families, is not permitted, except under conditions outlined below.

No staff member shall accept compensation or rewards from individuals or agencies because of the position they occupy in the organization. With the exception of small Christmas/birthday gifts from participants' families and having a perceived value of under \$20, money or other gifts offered should be firmly but kindly refused. If the participant or their family insists and the gift is of a minor nature, it may be accepted with the prior approval of the supervisor or Executive Director.

Employees may not sell goods or services to participants, their families, nor may they encourage participants or families to purchase any products or services. Employees may not accept services, money or loans from a participant or their families without the written authorization of the Executive

CVS POLICY & PROCEDURE MANUAL

Conflicts of Interest (Continued)

Director. Employees shall not use their position of trust to initiate any purchase or sale of goods and services to participants or visitors.

Excluding raffle tickets, employees may not purchase services or commodities from participants unless such commodities are offered for general sale (e.g., Regal) with the approval of the Executive Director.

Problems which may arise due to this policy should be discussed with the employee's immediate supervisor and documented.

A breach of this policy will result in disciplinary action, which may include dismissal.

Falsification of Association Records

Falsification of Association records is unacceptable employee conduct. See 6.18 Progressive Discipline.

Fighting on the Job

Physical conflict or confrontation is unacceptable employee conduct. A breach of this policy will result in disciplinary action, which may include dismissal. See 6.18 Progressive Discipline.

Harassment

Community Ventures Society's staff members have the right to expect a harmonious workplace environment. It is expected that the behaviour of staff members in the workplace will meet generally acceptable social standards. Staff members in their relations with other persons in the workplace, are to treat them with respect and dignity. Staff members shall not engage in sexual harassment or any other form of personal harassment. Staff member means any union or excluded employee, volunteer or student.

Community Ventures Society accepts the following definitions and will be guided by them in dealing with allegations of harassment. Harassment by any employee in the workplace is a serious offence, and will be subject to disciplinary action up to and including termination. Should it be determined that an employee has knowingly made a false, frivolous, vindictive or vexatious complaint, he/she is subject to disciplinary action.

Definitions:

The Canadian Human Rights Commission considers harassment to include:
unwelcome remarks, jokes, innuendo or taunting about a person's body, attire, age, marital status, ethnic or religious origins;
displaying offensive or derogatory pictures;
practical jokes which cause awkwardness or embarrassment;

CVS POLICY & PROCEDURE MANUAL

Harassment *(continued)*

unwelcome invitations or requests;
leering or other gestures;
condescension or paternalism which undermines self-respect;
any unwelcome physical, visual or verbal conduct.

The BC Human Rights Act further defines harassment to include:
verbal abuse or threats;
unwanted touching, patting or other physical contact;
persistent unwelcome invitations or requests, whether direct or indirect;
conduct or comment which is intended to, or has the effect of, creating an intimidating, hostile, or offensive environment.

Personal harassment includes the above types of discriminatory behaviour based on another person's race, colour, ancestry, place of origin, political beliefs, religion, marital status, physical or mental disability, age or sexual orientation.

Procedure:

1. An employee who feels that he/she is being harassed is encouraged to advise the alleged harasser that such conduct is unwelcome and is a breach of this policy and must stop. Employees are encouraged to keep a written record of the steps taken to alleviate the problem.
2. If the behaviour does not stop, or if the employee chooses not to approach the harasser, the employee should report the incident(s) to the attention of the immediate supervisor, or if this is inappropriate, another supervisor or the Executive Director for investigation. Where the alleged harasser is the employee's immediate supervisor, the employee will provide the report to the Executive Director. Where the alleged harasser is the Executive Director, the complaint shall be presented to the Chair of the Board. Bargaining unit staff members have provisions in their collective agreement and may approach their steward.
3. In all circumstances, an individual who is accused of harassment is to be given the opportunity to explain himself/herself and to have those explanations properly considered. The rights of the person accused of harassment are also to be protected.
4. The supervisor will then meet with the employee to discuss the specifics of the complaint. The supervisor will advise the employee accused of engaging in harassment that there has been a complaint, that the matter is being investigated, and that no threats or reprisal against the complainant will be tolerated.
5. The supervisor will investigate the complaint within seven (7) days of receiving it in writing, by interviewing the complainant, the alleged harasser, and any potential witnesses. During the investigation, every effort will be made to treat the matter with the utmost confidentiality. The supervisor will carefully document the results of the investigation.

CVS POLICY & PROCEDURE MANUAL

Harassment (continued)

6. If the complaint is substantiated, appropriate disciplinary action will follow within 5 days of the conclusion of the investigation. Discipline could include a written warning, suspension or termination.
7. No documentation of unsubstantiated sexual or personal harassment will be maintained in individual personnel files. Proven allegations of personal or sexual harassment including disciplinary action taken shall be documented and form part of the employee's permanent record.

Nothing in this policy shall restrict an employee's legal or civil rights to file a complaint with the BC Council of Human Rights or the police.

Harassment - Sexual

The Association recognizes the right of its employees to work in an environment free from sexual harassment, and shall take such actions as are necessary respecting an employee engaging in sexual harassment in the work place.

Sexual harassment means engaging in a course of vexatious comment or conduct of sexual nature that is known or ought reasonably to be known to be unwelcome and shall include, but not be limited to:

- a) Sexual solicitation or advance or inappropriate touching and sexual assault;
- b) A reprisal, or threat of reprisal, which might reasonably be perceived as placing a condition of sexual nature on employment by a person in authority after such sexual solicitation or advance or inappropriate touching is rejected.

An employee who wishes to pursue a concern arising from an alleged sexual harassment may submit a complaint in writing within thirty (30) days of the latest alleged occurrence to the Executive Director. Complaints of this nature shall be treated in strict confidence by all parties involved in settling the dispute.

An alleged offender shall be given notice of the substance of such a complaint under this clause and shall be given notice of and be entitled to attend, participate in, and be represented at any hearing under this clause.

The Executive Director shall investigate the complaint and shall issue a report along with such orders as may be necessary to resolve the issue.

Where the complaint is determined to be of a frivolous or vindictive or vexatious nature, the Employer may take appropriate action. Such action shall only be for just cause.

Pending determination of the complaint, the Executive Director may take interim measures to separate the employees concerned, if deemed necessary.

Where either party is not satisfied with the Executive Director's response, the complaint will, within thirty (30) days, be put before a panel consisting of one Management representative, one Labour representative, one representative each

CVS POLICY & PROCEDURE MANUAL

Sexual Harassment (continued)

of both parties in the dispute and a mutually agreed upon chairperson. The majority decision will be final and binding. The panel shall have the right to:

- a) Dismiss the complaint;
- b) Determine the appropriate level of discipline to be applied to the offender; and/or
- c) Make a further order as is necessary to provide a final and conclusive settlement of the complaint.

Sexual harassment is harassment based on or related to another person's gender and has been defined by courts, arbitrators, and human rights tribunals to include the following elements:

- a. unwelcome conduct of a sexual nature;
- b. conduct which detrimentally affects the work environment; or
- c. conduct that leads to adverse job related consequences for the victims of the harassment.

Sexual harassment has been defined in the Canada Labour Code as any conduct, comments, gesture or contact of a sexual nature:

- a. that is likely to cause offence or humiliation to any employee; or
- b. that might, on reasonable grounds, be perceived by that employee as placing a condition of a sexual nature on employment or on any opportunity for training or promotion.

Sexual harassment includes unwelcome sexual advances, request for sexual favours, displaying offensive pictures and jokes in an unwelcome manner, and other verbal or physical conduct of a sexual nature.

Sexual harassment does not include accepted social banter between cognizant adults. A finding of sexual harassment is not necessarily confined to supervisor/subordinate or male/female relationships.

Sexual harassment will be considered to have taken place if a reasonable person ought to have known that such behaviour was unwelcome. A crude and unwelcome comment may amount to sexual harassment.

Community Ventures Society accepts the above definitions and will be guided by them in dealing with allegations of harassment.

For Procedures see Harassment section.

Illness

Employees must advise their immediate supervisor (or designate) as per the sick call-in procedures when staff are away from work due to illness. If staff is absent from work for more than 3 days a Doctors Note may be required. For employees who are expected to be away from work for an extended period the

CVS POLICY & PROCEDURE MANUAL

Illness (Continued)

immediate supervisor must report to the Adult Services Coordinator or the Executive Director.

Insubordination

Insubordination is refusal to obey a clearly understood order from someone in authority, whether by verbal refusal or failure to carry out the order. Insubordination also includes insolent and uncooperative behaviour. Insubordination is unacceptable employee conduct. See 6.18 Progressive Discipline.

Language Used Should be Appropriate

Community Ventures Society recognizes that the perceived value and worth of individuals with disabilities can be affected by language, labels and jargon. Community Ventures Society expects all employees to adhere to standards of language, both written and verbal, which enhance dignity and engender respect for all individuals. These standards include:

- ? Using age appropriate forms of address;
- ? Referring to people as people first;
- ? Describing an individual according to his or her abilities, not his or her disability;
- ? Refraining from using jargon or labels to describe an individual;
- ? Avoiding medical terminology, diagnoses, or physical conditions as a means of describing a person;
- ? Avoiding describing a person according to his or her perceived level of functioning, behavioural deficits or psychological state.

Mail

Staff members may not use **CVS** address or the employer's postal service for personal mail.

Media Contacts

Media contacts should be referred to the Executive Director. This includes Information requests from newspapers and other public news organizations. Staff should make no comments.

Personal Relationships and Boundaries

Employees are to exercise good judgment and caution when engaging in after-hours activities with clients. As boundaries between work relationships and personal relationships can be confusing for individuals receiving CVS services, workers are expected to help define these boundaries for clients.

Employees who support clients outside of work assignments and/or develop friendships outside of work assignments are to ensure clients understand the nature of the relationship clearly.

CVS POLICY & PROCEDURE MANUAL

Personal Relationships and Boundaries (Continued)

Employees are required to protect the privacy of other employees and may not give addresses or phone numbers of co-workers to anyone and may not point out their homes to anyone.

Property - CVS, Consumer and Staff

Employees will not use CVS property or the property of its consumers for personal use, except where it is the practice of the organization to rent the equipment or property to its employees and/or to the community in general.

Employees shall not willfully abuse, destroy or neglect proper maintenance of CVS property.

The misappropriation of funds or property belonging to CVS or the people it serves shall be considered theft and will not be tolerated and will be cause for dismissal. An employee occupies a special position of trust with participants. It is essential that trust is maintained and that complete confidence exists in the employment relationship.

Theft is defined as the unauthorized procurement of property that does not belong to the employee. The following are examples of prohibited conduct:

Example(s):

Theft of property or services from the organization.

Unauthorized use of the organization's equipment.

Unauthorized use or theft of property from participants, visitors or other employees.

Theft outside working hours and the workplace which may affect the employment relationship.

Actions which result in the unauthorized procurement of money, property or other things from the organization, participant, or employees.

Conditions:

1. This policy also applies in cases of attempted theft by an employee.
2. Theft or attempted theft by an employee may result in the immediate dismissal and he/she may be reported to the local police authority.
3. Where an employee is suspected of stealing, he/she may be suspended pending further investigation.

The employer shall repair or indemnify any damage to the property or belongings of an employee by a participant provided that:

1. the employee was on duty at the time.
2. reasonable proof is submitted that the damage was caused by the actions of a participant and/or in the normal course of duty; and
3. the personal property damaged is an article of use or wear of a type suitable for use or wear while on duty. This would not include expensive jewellery & clothing, musical instruments or electronics.
4. the employee obtained prior permission of the Executive Director or designate prior to bringing personal items costing over \$150 to work.

CVS POLICY & PROCEDURE MANUAL

Promotional Entitlements

In the course of their work, employees or board members may be involved in purchases or commercial transactions that give rise to a promotional entitlement. Examples include but are not limited to:

- ? Bonus points collected from grocery purchases
- ? Air miles collected from gasoline or other purchases
- ? Discount coupons or "cash back offers"

Employees or board members of this agency are in a position of trust and are required to follow government conflict of interest guidelines. Accordingly, employees may not obtain personal benefits in the course of commercial or any other transactions entered into on behalf of the agency or the people it serves. It is not acceptable for any individual representing this agency to use their own promotional entitlement card when making CVS purchases.

Smoking

In consideration for participants and fellow employees and for safety reasons, Community Ventures Society provides a smoke-free environment. This policy applies to all participants / residents / family members, employees, volunteers and visitors in Association programs and vehicles.

Employees who are on duty are not permitted to smoke while in the company of a participant.

All Association homes, programs and vehicles are designated as non-smoking areas for clients, participants, employees, volunteers and visitors. An outside location will be designated as a smoking area for program sites and residences, if required. In all public facilities operated by the Community Ventures Society, staff will be permitted to smoke only during established program breaks and before or after the program in designated areas outside of program operations.

Telephone Use

CVS's telephones are for official business only. Personal telephone calls during working hours are discouraged and should be kept to a minimum. If it is necessary to make a personal telephone call, it should be done at a break time unless it is an emergency situation. Incoming personal calls are to be kept to a minimum.

Staff members are reminded that no information regarding another staff member is to be given out to anyone by telephone. All requests for information including telephone numbers must be referred to the Administration.