

## **GOVERNANCE PROCESSES**

<b>Policy Title</b>	<b>Policy Number</b>
Conflict of Interest	GP-6
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	July 20, 2011
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Volunteers/employees of the College of Medical Laboratory Technologists of Manitoba are expected to maintain high standards of integrity, impartiality, and ethical conduct. Volunteers/employees must be vigilant to prevent any actual or perceived misconduct, predisposition or conflict of interest.

### **Definition**

A conflict of interest is any situation in which a volunteer/employee has an employment, business or personal interest which results or appears to result in:

- a) An improper material interest or an advantage by virtue of the person's position;
- b) An interference with the objective exercise of the person's duties in respect of the College

A material interest includes any matter or situation where a volunteer/employee has a direct or indirect financial or other interest beyond the interest of an ordinary citizen.

Volunteers include elected, appointed, and public representative members of Council, Council Committees, and CMLTM working groups.

### **Requirements for Disclosure**

Volunteers/employees are responsible for disclosure of any situation or matter where they have an actual or perceived conflict of interest or the potential for a conflict of interest.

Conflict of interest declarations should be filed annually at a minimum or updated immediately where:

1. An actual, potential or perceived conflict situation arises where none existed previously;
2. Change occurs which alters the nature or degree of the conflict, subsequent to a declaration being made.

Where a conflict of interest has been found to exist, the volunteer/employee will be required to take steps to avoid the conflict of interest. As well, where a perceived or potential conflict situation may exist, the volunteers/employees will be provided with advice on what steps need to be taken to remove the perception or the potential for a conflict of interest.

Where a volunteer/employee is unsure whether any conflict of interest may exist, it is his/her responsibility to seek clarification from the Council Chair or Registrar/CEO. Failure to comply will necessitate removal from their position.

### **Procedure**

Volunteers/employees shall disclose in writing to the Council, or request to have entered in the minutes of meeting of the Council, the nature and extent of his/her interest.

The Council shall decide by majority vote of other members at the meeting whether a perceived or actual conflict of interest exists.

No volunteer/employee shall be present during any discussions of the Council or vote on any matter where it has been decided that a material interest exists. The minutes of the Council meeting shall in each case record the individual's disclosure of interest and the fact he/she took no part in the discussion or decision. In addition, the volunteer/employee must refrain from attempting, directly or indirectly, to influence the decision of the Council.

### **Guidelines**

The following are guidelines related to avoiding situations that could constitute a real or perceived conflict of interest:

- a) Volunteers/employees shall not be directly involved in the governance of an MLT professional society/association including the Canadian Society for Medical Laboratory Sciences (CSMLS), Manitoba Association for Medical Laboratory Science (MAMLS) or a labour union representing MLTs.
- b) Volunteers/employees shall not 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.
- c) Volunteers/employees shall not divulge confidential or restricted information to any unauthorized person or release such information in advance of authorization for its release.
- d) Volunteers/employees shall not act in any official matter where there is a personal interest which is incompatible with an unbiased exercise of official judgment.
- e) Volunteers/employees must declare where they have direct or indirect personal business or financial activities which conflict with their official duties and responsibilities.
- f) Volunteers/employees shall not place themselves in a position where they are under obligation to any persons who might benefit from special considerations or favors on their part.

### **Appeals**

Volunteers/employees who dispute the manner of application of these Guidelines may appeal such application to an independent arbitrator agreed to by both parties.

Volunteer/employee, at his/her option, may have a representative present at the appeal.

### **Disciplinary Action**

Departure from this policy by volunteers/employees, without the specific prior approval of the majority of Council members, may be cause for removal from the volunteer position or employment.