



Facilities Management and Ancillary Services Guidelines on Business Conduct

1. STATEMENT OF VALUES

Facilities Management and Ancillary Services (FMAS) is committed to upholding McGill's outstanding international reputation in all of the unit's operations.

As a publicly-funded institution, the University must abide by public laws and regulations and ensure that its business practices are impartial and transparent.

McGill University demands the highest standards of personal ethics and organizational integrity in its business conduct. As the *Regulation regarding Conflict of Interest* reminds us, "the University must pursue its mission in a manner that advances its goals, protects the integrity of all it does and maintains the confidence of all members of the University community, its affiliated institutions, granting agencies and its public and private sponsors, in an environment in which there is both increased attention to conflict of interest and an increase in apparent conflict situations."

2. PURPOSE

The purpose of these Guidelines is:

- To define conflict of interest and conflict of commitment.
- To provide employees ¹ with guidance when dealing with apparent, real, or potential conflicts of interest or conflict of commitment.
- To clarify the repercussions of violating these Guidelines, all related McGill policies or any other applicable guidelines.

3. SCOPE

The purpose of these Guidelines is to complement the University's *Regulation on Conflict of Interest*. They apply to all employees of FMAS (including regular, casual, contractual and part-time employees, managers, executives and consultants).

¹ Note: masculine gender includes feminine and is used without discrimination in order to simplify the text.

4. DEFINITIONS

4.1. Conflict of Interest

“Conflict of Interest,” as defined by the *McGill Regulation on Conflict of Interest*, means any situation in which:

(i) A Member² or a Related Party³ has a personal interest, whether direct or indirect, of which the Member is, or should be, aware, and that in the opinion of a reasonably informed and well-advised Person is sufficient to put into question whether the independence, impartiality, and objectiveness that the Member is obliged to exercise in the performance of his or her duties or the ability of the Member to act in the best interests of the University (actual Conflict of Interest);

Or

(ii) A Member or a Related Party appears, in the opinion of a reasonably informed and well-advised Person, to have a personal interest, whether direct or indirect, that is sufficient to put into question the independence, impartiality, and objectiveness that the Member is obliged to exercise in the performance of his or her duties or the ability of the Member to act in the best interests of the University (apparent Conflict of Interest).

A copy of McGill’s *Regulation on Conflict of Interest* is available here:

http://www.mcgill.ca/secretariat/files/secretariat/conflict-of-interest-regulation-on_0.pdf

Examples of Conflict of Interest

- Participating directly or indirectly in a business venture that has business dealings with the University;
- Conducting business on behalf of the University with a business in which the employee has a financial or other interest, or which a member of his family or a person with whom he has or has had a close personal relationship has a financial or other interest;
- Using or attempting to use the employee’s position to influence or attempt to influence the decision of another person in order to further his own interests or that of a member of his family, or a person with whom he has or has had a close personal relationship;

² Member means any member of the McGill University community:

(i) who is an employee of the University;

(ii) who holds office under the University Charter or Statutes or who serves on any body or committee of the University;

(iii) who holds office on the board of an institution affiliated with McGill University or who serves on a committee established by such board; or

(iv) Who is an appointee (including a volunteer) of the University.

³ Related Party includes:

(i) a Member’s immediate family;

(ii) a Person living in the Member’s household;

(iii) a Person with whom a Member has, or had, a close or intimate personal relationship;

(iv) a Person with whom the Member shares, directly or indirectly, a financial or other interest; or

(v) a Person to whom the Member owes a financial or moral obligation.

- Participating in any way in a call for tenders involving a business in which the employee, a member of his family, or a person with whom he has or has had a close personal relationship has a financial or other interest;
- Using University assets, resources or confidential University information for personal benefit, or that of family or friends;
- Having a company with whom the University does business carry out services at the employee's home or the home of a family member, unless prior authorization from the member's Director (or supervisor, if at a higher level) has been given and the HR office for FMAS has been informed;
- Reviewing and approving invoices for a company with whom the University does business and with whom the employee has a personal or financial interest.

4.2. Conflict of Commitment

A "Conflict of Commitment" arises when a member's professional external activities or commitments, paid or unpaid, interfere with his ability to fulfill the duties and responsibilities of his position with the University.

Examples of Conflict of Commitment

- Being employed, paid or unpaid, by an organization outside his employment with the University, which interferes with the performance of the duties and responsibilities of his position with FMAS.
- Carrying out work for an outside employer or for the member's own personal or family business (immediate and extended family) during their normal working day with FMAS.

5. ACCEPTANCE OF BENEFITS

5.1. Gifts, Services and Entertainment

Employees of FMAS are prohibited from accepting gifts, benefits, or favours from anyone doing business with or soliciting business from FMAS, with the exception of minor gifts as token courtesies. All offers of gifts, services, or entertainment (cash, gift certificates, tickets to sports events, concerts, etc.) provided by vendors or suppliers must be disclosed by the employee and discussed with his Supervisor. Where accepting any of the above offers is deemed inappropriate or likely to produce a conflict of interest, the gift, service, or entertainment is to be refused.

5.2. Meals and Invitations to Conferences

Business lunches must be reported to the employee's supervisor and must be of a reasonable cost. Meals and restaurants must be approved prior to the event. Invitations to attend conferences must be approved by the employee's supervisor. The consumption of alcoholic beverages, as well as visits to hospitality suites and other venues, must also be reported.

Where an invitation to a meal or conference is deemed inappropriate or likely to produce a conflict of interest, it ought to be refused.

5.3. Vacations, Travel and Other Advantages

Vacation, travel, and other advantages (home renovation, construction work, materials, tools, etc.) offered and paid for by suppliers must be refused and reported to the employee's supervisor.

6. DISCLOSURE

When the employee is first employed by FMAS, he must disclose any situation where his interests might be in conflict with his duties and responsibilities. Conflicts of interest may be real, apparent or potential. They may be of a financial or professional nature and may relate to the University, relatives, friends or professional associates – past, present or future. The disclosure must be made in writing and updated every year for the duration of the member's employment by the FMAS. The disclosure is to be made to the employee's supervisor and will be kept on file with the FMAS Human Resources Administrator.

7. PRIVILEGED INFORMATION

The employee must preserve the confidentiality of privileged information to which he has access in the course of his employment with FMAS, whatever form it takes. The employee must not share information which is not publicly available with a third party who stands to gain from receiving this information.

8. ACCESS TO PREMISES

The employee must not grant access to McGill buildings to a party who is currently or potentially bidding for a contract, outside of the times and situations established by McGill policies.

9. REPORTING

The employee must report to their supervisor any activities which may violate these Guidelines, or any other related McGill policies or applicable guidelines. Employees must adhere to the terms defined in the Policy on Safe Disclosure when reporting inappropriate activities (<http://www.mcgill.ca/research/files/research/SafeDisclosure-Policy.pdf>).

10. VIOLATIONS

Employees deemed to have violated these Guidelines, any related McGill policy or any applicable guidelines may be disciplined under the terms of the Disciplinary Measures Policy, up to and including dismissal.