

KWANTLEN FACULTY ASSOCIATION

I. POLICIES

1. POLICY DEVELOPMENT

Policies and/or procedures developed by the Constitution and Policy Committee must be approved by the KFA Executive prior to implementation.

(EXECUTIVE: October 8, 2003)

2. CONFLICT OF INTEREST

Existing, perceived or potential conflicts of interest are contrary to the purposes of the KFA. This Policy prohibits KFA members from participating in any discussion or voting on a matter in which the member has a direct or indirect specific interest in a matter that constitutes, or may be seen to potentially constitute, a conflict of interest. The conflict of interest provisions contained in this Policy are intended to ensure transparency, impartiality, and integrity in Union decision making.

1. Conflicts of interest can be designated as one or both of the following:
 - a. **Pecuniary (financial) interests.** These include potential, perceived or actual financial gain or loss.
 - i. A pecuniary conflict of interest, whether actual or perceived, is defined for the purposes of this policy as any event in which a KFA member may benefit materially from knowledge of, participation in, or by virtue of an investment decision on holdings of the KFA.
 - b. **Non-pecuniary interests.** These may arise from potential, perceived, or actual interests in personal or professional relationships that do not specifically amount to a material or financial interest.
 - i. A non-pecuniary conflict of interest, whether actual or perceived, is defined for the purposes of this policy as any private interest in which a KFA member benefits from participation in, association with, or by virtue of participation as a KFA elected or appointed position, and is distinct from the general interests of the KFA.
 - ii. For the purposes of this Policy, any excluded administrative position or appointment shall be considered as a serious non-pecuniary conflict and will disqualify the member from being elected or appointed to any KFA committee or positions, and will disqualify the person from participation in any KFA meetings or business.
2. Where there is any potential, perceived, or actual conflict with matters of the KFA, members are required to declare their specific interest in the matter. Such members will abstain from decision making with respect to the area(s) of conflict, and a written record of the conflict will be maintained by the Executive Committee.
3. No part of the KFA Funds shall be loaned to any KFA contractor, employee of a

KFA contractor or any KFA member, or any legal entity owned or controlled by any of the aforementioned.

Procedures

The key consideration is whether a reasonable person would conclude that a private or conflicting interest or personal benefit could influence or affect the decision making and be in conflict with the KFA. When in doubt, it is advised to err on the side of caution and declare any real or perceived pecuniary or non-pecuniary conflict of interest.

1. Should a conflict of interest arise, the member in the actual or perceived conflict, or any person who becomes aware of a conflict of interest situation the person must:
 - a. **Disclose** the conflict of interest as defined above prior to commencing in any activity or role and file with the KFA President. This must include involvement with charitable organizations, vendors or business interests, or with any other associations that might produce a pecuniary or non-pecuniary conflict of interest.
 - b. **Declare** any conflicts of interest of which they become aware either at the start of the execution of their duties or any Executive meeting concerned or when a relevant issue arises. If this occurs during any Executive or General meeting, the nature of this conflict of interest should be entered into the meeting minutes.
 - c. **Recuse** themselves from any discussion on topics involving a conflict of interest.
 - d. **Abstain** from attending the meeting during discussion, voting, or deliberating on decisions related to the conflict of interest, unless expressly invited to do so by unanimous agreement by all other members present. The Executive Member's abstinence should be recorded in the meeting minutes.
 - e. **Respect** the confidentiality of all person(s) who declare an existing or potential conflict of interest.
 - f. **Report** any matter to the KFA President or Executive Committee when there is an allegation that a person has a conflict of interest, (actual or potential). When the Executive Committee is unable to reach agreement from all parties involved that the conflict of interest exists, the matter should be referred to the Ombudsperson.

Gifts or Stipends

1. A member must not, directly or indirectly, accept from a third party a fee, compensation, gift or personal benefit that is connected with the member's proper performance of the duties of office. For the purpose of this policy, neither the Employer nor FPSE are considered a third party.
 - a. Any gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office must be understood to be the property of the KFA.
2. A person who contravenes this section is disqualified from holding an elected position or serving the KFA unless the contravention occurred inadvertently or because of an error in judgment made in good faith.
3. Indigenous protocol gifts are exempt from being the property of the KFA but must be disclosed according to the Disclosure of Gifts guidelines.

Disclosure of gifts

4. Where a member who receives a gift or personal benefit as a result of performing their duties,
 - a. The member must file with the KFA President or delegate, as soon as reasonably practicable, a disclosure statement indicating:
 - i. The nature of the gift or benefit,
 - ii. The source,
 - iii. The date it was received, and
 - iv. The circumstances under which it was given and accepted.
 - b. A person who contravenes this section is disqualified from holding elected office or KFA appointments unless the contravention occurred inadvertently or because of an error in judgment made in good faith.

(EXECUTIVE: March 9, 2022)

3. ALLOCATION OF EXECUTIVE PD

KFA Table Officers are responsible for allocating executive PD funds—e.g., money intended to be spent on PD for members serving on KFA committees and needing more information or education.

(EXECUTIVE: May 10, 2006)

4. COMMUNICATION WITH MEMBERS

3.1 Each Executive Meeting agenda will conclude with an item titled “Communication with Members,” which will clarify what the Executive reps should be communicating to the members in their areas.

(EXECUTIVE: June 12, 2001)

3.2 KFA will distribute a one-pager about Health and Safety every year.

(EXECUTIVE: November 26, 1999)

5. COST RECOVERY COURSES

The KFA maintains that instructors of Continuing Education and Professional Studies courses are our members, that the work should not be contracted out, and that such courses should not be offered at the expense of base-funded programs.

(EXECUTIVE: October 10, 2012)

6. DONATIONS AND GIFTS

5.1 No donations are to be given beyond the scholarships that currently exist except as decided by the general membership. Any membership decisions will consider budgetary implications.

(AGM: April 15, 2005)