



**FOR APPROVAL**

**PUBLIC**

**OPEN SESSION**

**TO:** Business Board

**SPONSOR:** Heather Boon, Acting Vice-President, People Strategy, Equity &  
**CONTACT INFO:** Culture 416-978-4865, [vp.psec@utoronto.ca](mailto:vp.psec@utoronto.ca)

**PRESENTERS:** Same as above  
**CONTACT INFO:**

**DATE:** June 13, 2023 for June 20, 2023

**AGENDA ITEM:** 6(b)

**ITEM IDENTIFICATION:**

*Amendments to Policies for Professional and Managerial Staff, Policies for Senior Research Associates and Research Associates (Limited Term), and Policies for Confidentials.*

**JURISDICTIONAL INFORMATION:**

Pursuant to Section 5.9 of its Terms of Reference, the Business Board has authority for approval of human resources policies for non-union administrative staff; and under Section 5.10, authority regarding terms and conditions of employment for unionized administrative staff ... and approval of agreements and changes to agreements outside the Labour Relations Act with respect to terms and conditions of employment, subject to any limitations established by law or contract.

**GOVERNANCE PATH:**

- 1. Business Board [For Approval] (June 20, 2023)**

**PREVIOUS ACTION TAKEN:**

n/a

**HIGHLIGHTS:**

Over the past year, the Division of People Strategy, Equity & Culture has been developing a new *Policy on Conflict of Interest - Administrative Staff*.

The University's Conflict of Interest Policies and Guidelines exist to offer direction and guidance on what constitutes a conflict of interest in the context of the University and how to manage these situations.

Currently, for some administrative staff, conflict of interest is addressed separately in the following policies: *Policies for Professional and Managerial Staff*, *Policies for Senior Research Associates and Research Associates (Limited Term)*; and *Policies for Confidentials*. Some staff groups are not explicitly covered by any policy. The new *Policy on Conflict of Interest – Administrative Staff* applies to all administrative staff, unionized or non-union. This will ensure that administrative staff have a consistent framework and understanding of Conflict of Interest and Perceived Conflict of Interest.

The proposed new Policy is being considered for approval by the Business Board in this cycle. Corresponding with the approval of the new Policy, we are proposing amendments to the above listed policies in order to remove the "Policy: Conflict of Interest" section from each policy and refer instead to the new *Policy on Conflict of Interest – Administrative Staff*.

#### **RECOMMENDATION:**

Be It Resolved

THAT, subject to the approval of the *Policy on Conflict of Interest – Administrative Staff*, the proposed revisions to *Policies for Professional and Managerial Staff*, *Policies for Senior Research Associates and Research Associates (Limited Term)*, and *Policies for Confidentials* be approved, effective July 1, 2023.

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#### **DOCUMENTATION PROVIDED:**

- Proposed Amended *Policies for Professional and Managerial Staff* (track changes)
- Proposed Amended *Policies for Professional and Managerial Staff* (clean version)
- Proposed Amended *Policies for Senior Research Associates and Research Associates (Limited Term)* (track changes)
- Proposed Amended *Policies for Confidentials* (track changes)
- Proposed Amended *Policies for Confidentials* (clean version)

Policies for Professional & Managerial Staff  
indicated on the posting. Late applications may be accepted at the discretion of the University  
in extenuating circumstances.

## **SELECTION**

- Selection, if any, will be based on the best qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

## **CONFLICT OF INTEREST**

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy – [Administrative Staff \(3.01.10\)](#). If an employee has a real or perceived conflict of interest relating to the hiring process and/or a specific candidate, the employee must immediately declare the conflict of interest to Human Resources, who will work with the hiring manager to determine if the employee can continue their involvement with the recruitment.

## **CONFIDENTIALITY**

- Candidates for positions at the University submit material during the application process that is intended to be held in confidence and used only for the hiring process for which it was submitted. Such material must remain confidential to the members of the duly constituted hiring committee and other University employees or agents who require the information to do their role in relation to the hiring process.
- Confidentiality is also required with respect to discussions among the committee members, and therefore no information about these discussions will be disclosed to anyone outside the committee except to the extent that any other University employee or agent requires the information to do their role in relation to the hiring process.
- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

## **RECORD RETENTION**

- Information gathered through the course of recruitment will be retained by Human Resources in accordance with the University's File Plan.

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**SECTION III: EMPLOYMENT CONDITIONS** **CODE NUMBER: 3.01.10**  
**POLICY: CONFLICT OF INTEREST**

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### **INTRODUCTION**

~~Members of the administrative Professionals/Managers staff of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.~~

~~Occasionally, in the course of the exercise of their responsibilities, administrative staff members may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitute a conflict of interest, the staff member may not continue to engage in them.~~

~~Any alleged breaches of this policy will be handled under the Termination for Cause section of the Termination of Employment Policy, 5.01.01, *Policies for Professionals/Managers Staff*.~~

### **APPLICATIONS**

#### **1. Use of University Resources**

~~Professionals/Managers may not make more than trivial use of University facilities, supplies or administrative services for personal purposes without authorization. On occasion, a Professionals/Managers staff member may wish to make more than trivial use of University facilities, supplies or services. Application must be made in writing to the person to whom the person reports. If the request is granted, the Professionals/Managers staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or support staff used.~~

#### **2. Conflict of Interest Resulting from Family or Other Personal Relationships**

- ~~a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.~~
- ~~b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship without the prior approval of the person at the next higher level of authority. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.~~

### **3.—Conflict of Interest for Supervisor**

If the person to whom an employee normally reports has a personal interest in the matter to be discussed, then that individual shall refer the matter to the person at the next higher level of authority.

### **4.—Purchases Involving University Funds**

If a staff member has received or is receiving supplementary income from a company, or if the staff member or a member of his or her family or a person with whom the staff member has or has recently had an intimate personal relationship, has a significant financial interest in a company, the staff member must disclose the nature of the involvement with the company in any situation in which the staff member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

### **5.—Approval of Expenses**

All expense claims made by staff members involving funds administered by the University require the signature of the person to whom the staff member reports.

### **6.—Acceptance of Gifts**

The acceptance of gifts or any other material benefit or favour from individuals who are associated with the University activities of the staff member, with the exception of minor gifts as token courtesies, is not normally permitted. If a staff member has any doubts about the propriety of accepting a particular gift or favour, s/he should discuss the matter with the person to whom s/he reports.

### **7.—Paid Professional or Commercial Activities**

While administrative staff members may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of that person, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them. (This provision does not require disclosure of personal activities with minor financial implications such as renting a basement apartment or cottage, operating a hobby farm, and which have no impact on the staff member's University's responsibilities.)

### **8.—Confidentiality**

All information about a staff member gathered under this Policy shall be held in strict confidence and not divulged to any other person, except for internal University administrative purposes required by Policy, or under the compulsion of the law, without the written consent of the staff member.

### **9.—Supplementary Divisional or Departmental Guidelines**

More detailed guidelines may be developed for particular divisions or departments, as appropriate and must be approved by the appropriate Vice-President.

**~~10. Protection of Staff Members Reporting Suspected Conflict of Interest~~**

~~The University or person(s) acting on its behalf shall not i) dismiss or threaten to dismiss or suspend a staff member; ii) discipline or suspend or threaten to discipline or suspend a staff member; iii) impose any penalty upon a staff member; or, iv) intimidate or coerce a staff member, because the staff member has provided information relating to an alleged conflict of interest to an appropriate officer of the University or has sought the enforcement of this Policy through appropriate University channels.~~

~~In cases of suspected financial impropriety, staff members should follow the University of Toronto 'Reporting Incidents of Suspected Financial Impropriety' procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.~~

Policies for Professional & Managerial Staff  
indicated on the posting. Late applications may be accepted at the discretion of the University  
in extenuating circumstances.

## **SELECTION**

- Selection, if any, will be based on the best qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

## **CONFLICT OF INTEREST**

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy – Administrative Staff. If an employee has a real or perceived conflict of interest relating to the hiring process and/or a specific candidate, the employee must immediately declare the conflict of interest to Human Resources, who will work with the hiring manager to determine if the employee can continue their involvement with the recruitment.

## **CONFIDENTIALITY**

- Candidates for positions at the University submit material during the application process that is intended to be held in confidence and used only for the hiring process for which it was submitted. Such material must remain confidential to the members of the duly constituted hiring committee and other University employees or agents who require the information to do their role in relation to the hiring process.
- Confidentiality is also required with respect to discussions among the committee members, and therefore no information about these discussions will be disclosed to anyone outside the committee except to the extent that any other University employee or agent requires the information to do their role in relation to the hiring process.
- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

## **RECORD RETENTION**

- Information gathered through the course of recruitment will be retained by Human Resources in accordance with the University's File Plan.

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## **SECTION III: EMPLOYMENT CONDITIONS**

**POLICY: ~~CONFLICT OF INTEREST~~**

**CODE NUMBER: ~~3.01.13~~**

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**NOTE: ~~This policy is currently under review and when a new policy is developed it will replace this one.~~**

### **INTRODUCTION**

~~Senior Research Associates and Research Associates (Limited Term) of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.~~

~~Occasionally, in the course of the exercise of their responsibilities, Senior Research Associates and Research Associates (Limited Term) may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitutes a conflict of interest, the staff member may not continue to engage in them.~~

~~Any alleged breaches of this policy will be handled under the Termination for Cause section of the Termination of Employment Policies, 5.01.01 and 5.01.02, Section V, Policies for Senior Research Associates and Research Associates (Limited Term).~~

### **APPLICATIONS**

#### **1. ~~Use of University Resources~~**

~~Senior Research Associates and Research Associates (Limited Term) may not make more than trivial use of University facilities, supplies or administrative services for personal purposes without authorization. On occasion, a staff member may wish to make more than trivial use of University facilities, supplies or services. Application must be made in writing to the person to whom the person reports. If the request is granted, the staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or support staff used.~~

#### **2. ~~Conflict of Interest Resulting from Family or Other Personal Relationships~~**

~~a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.~~

~~b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship without the prior approval of the person at the next higher level of authority. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.~~



### ~~3. Conflict of Interest for Supervisor~~

~~If the person to whom a staff member normally reports has a personal interest in the matter to be discussed, then that individual shall refer the matter to the person at the next higher level of authority.~~

### ~~4. Purchases Involving University Funds~~

~~If a staff member has received or is receiving supplementary income from a company, or if the staff member or a member of his or her family or a person with whom the staff member has or has recently had an intimate personal relationship, has a significant financial interest in a company, the staff member must disclose the nature of the involvement with the company in any situation in which the staff member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.~~

### ~~5. Approval of Expenses~~

~~All expense claims made by staff members involving funds administered by the University require the signature of the person to whom the staff member reports.~~

### ~~6. Acceptance of Gifts~~

~~The acceptance of gifts or any other material benefit or favour from individuals who are associated with the University activities of the staff member, with the exception of minor gifts as token courtesies, is not normally permitted. If a staff member has any doubts about the propriety of accepting a particular gift or favour, s/he should discuss the matter with the person to whom s/he reports.~~

### ~~7. Paid Professional or Commercial Activities~~

~~While Senior Research Associates and Research Associates (Limited Term) may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of that person, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them. [This provision does not require disclosure of personal activities with minor financial implications such as renting a basement apartment or cottage, operating a hobby farm, and which have no impact on the staff member's University's responsibilities.]~~

### ~~8. Confidentiality~~

~~All information about a staff member gathered under this Policy shall be held in strict confidence and not divulged to any other person, except for internal University administrative purposes required by Policy, or under the compulsion of the law, without the written consent of the staff member.~~

### ~~9. Supplementary Divisional or Departmental Guidelines~~

~~More detailed guidelines may be developed for particular divisions or departments, as appropriate and must be approved by the appropriate Vice-President.~~

### ~~10. Protection of Staff Members Reporting Suspected Conflict of Interest~~

~~The University or person(s) acting on its behalf shall not i) dismiss or threaten to dismiss or suspend a staff member; ii) discipline or suspend or threaten to discipline or suspend a staff member; iii) impose any penalty upon a staff member; or, iv) intimidate or coerce a staff member, because the staff member has provided information relating to an alleged conflict of interest to an~~

## Policies for Senior Research Associates & Research Associates (Limited Term)

~~appropriate officer of the University or has sought the enforcement of this Policy through appropriate University channels.~~

~~In cases of suspected financial impropriety, staff members should follow the University of Toronto "Reporting Incidents of Suspected Financial Impropriety" procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.~~

## **SELECTION**

- Selection, if any, will be based on the most qualified candidate for the position taking into account factors such as the candidate's qualifications, skill, education, training, previous related experience, ability and potential, and the requirements of the position.
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## **CONFLICT OF INTEREST**

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy – Administrative Staff. If an employee is in or will be in a conflict of interest during the hiring process or upon hire of a candidate, the employee must immediately declare the conflict of interest to their supervisor who will determine if the employee can continue their involvement with the recruitment.

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- Interview panel members must sign an Agreement to Maintain Confidentiality prior to accessing confidential information related to each recruitment process.

## **RECORD RETENTION**

- Information gathered through the course of recruitment will be retained in accordance with the University's File Plan.

## **PROBATIONARY PERIOD**

- A new staff member to the University shall be considered probationary until they have completed six (6) months of active employment. The staff member's employment may be terminated at any time during the probationary period without notice other than as may be required under the *Employment Standards Act* of Ontario. (See Termination Policy, 5.01.01, *Policies for Confidentials*)
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- Where these factors are equal between an internal and external applicant, the internal applicant will be selected.

## **CONFLICT OF INTEREST**

- All employees involved in the hiring process must abide by the University's Conflict of Interest Policy – Administrative Staff-(3-04-10). If an employee is in or will be in a conflict of interest during the hiring process or upon hire of a candidate, the employee must immediately declare the conflict of interest to their supervisor who will determine if the employee can continue their involvement with the recruitment.

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**SECTION III: EMPLOYMENT CONDITIONS** **CODE NUMBER: 3.01.11**  
**POLICY: CONFLICT OF INTEREST**

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### **INTRODUCTION**

Members of the administrative Confidentials staff of the University of Toronto are committed to achievement of the University's mission. Hence, their primary commitment is to the work of the University and their personal activities may not conflict with the University's interests.

Occasionally, in the course of the exercise of their responsibilities, administrative staff members may develop commitments to persons or organizations other than the University and may perform services for others for which they are paid. In such cases, situations may arise when a staff member's personal or financial interests may conflict, or may seem to conflict, with the staff member's obligations to the University. All staff members have an obligation to report and discuss with the person to whom they report all such conflicts that the staff member believes, or an objective observer would believe, to be significant. If the person to whom the staff member reports concludes the activities constitute a conflict of interest, the staff member may not continue to engage in them. Any alleged breaches of this policy will be handled under the Wilful Misconduct section of the Termination of Employment Policy, 5.01.01, *Policies for Confidentials*.

### **APPLICATIONS**

#### **1. Use of University Resources**

- a) Staff members are not permitted to carry out an outside professional or commercial activity or work for a voluntary organization using University resources without authorization. If a situation arises where a staff member wishes to make use of University facilities, services or supplies, application must be made in writing to the person to whom the staff member reports. If the request is granted, the staff member shall reimburse the University for the full cost, including overhead, of the facilities, supplies or administrative staff used.
- b) If a staff member has a serious concern about whether s/he may legitimately undertake work that has been assigned, the staff member should discuss the request with his or her supervisor or, if circumstances so require, with the department or divisionhead.

#### **2. Conflict of Interest Resulting from Family or Other Personal Relationships**

- a) Any situation involving the hiring (including casual hiring), supervising, or conferring or denying of any material benefit to any person with whom there exists or has recently existed an intimate personal or family relationship must be discussed by the staff member with his or her supervisor.
- b) Where funds involved are administered by the University, no staff member may, directly or indirectly, purchase from or sell to, or confer or deny any financial or commercial benefit on or engage in any commercial transaction with any person or organization with whom the staff member has, or recently had, an intimate, family or business relationship, without the prior approval of the supervisor. In requesting the approval, the staff member shall indicate in writing why the benefit should be conferred on, or the activity should be carried out by the person.

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~~While administrative staff members may in some circumstances engage in professional or commercial activities from which they derive supplementary income, such activities, if related to the staff member's University work, or, if affecting the staff member's University responsibilities and duties, must be fully disclosed to, and receive the approval of, the person to whom the staff member reports. Where, in the opinion of the supervisor, these activities constitute a conflict of interest, the supervisor may insist on the staff member's withdrawal from engaging in them.~~

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~~In cases of suspected financial impropriety, staff members should follow the University of Toronto 'Reporting Incidents of Suspected Financial Impropriety' procedure which details the University's protocol for responding to allegations of financial impropriety including procedures for individual staff members.~~

**~~11. Grievances~~**

~~Any complaint by a staff member about the contravention of, or decisions made in the application of, this Policy and its applications may be raised in accordance with the Grievance Procedure (see *Policies for Confidentials*, 3.01.09).~~