
Board Governance Policy Cross Reference: [1, 4, 12](#)

Administrative Procedures Cross Reference:

Form Cross Reference:

Legal/Regulatory Reference:

[CUPE 2972 Collective Agreement](#)

[IANTE Collective Agreement](#)

[ISDBDA Collective Agreement](#)

[Interlake Teachers' Association Collective Agreement](#)

[The Manitoba Labour Relations Act](#)

The Interlake School Division (ISD) has high expectations for all employees and expects employees to be responsible and productive in their employment responsibilities. In the event that an employee is not fulfilling the responsibilities of their position or is in contravention of ISD procedures, disciplinary action may be warranted.

A. Staff Code of Conduct

1. General

- a) Employees, in the pursuit of their duties, shall treat students, parents and other members of the community with dignity, respect and consideration.
- b) Employees shall adhere to their respective negotiated collective agreements. Employees who are exempted from collective bargaining shall adhere to the Non-union Handbook.
- c) Employees shall adhere to the approved Administrative Procedures of the Interlake School Division.
- d) Interlake School Division employees shall conduct their employment responsibilities in an honest and diligent manner.
- e) Employees should not engage in any activity of any nature which would conflict with their duty to their employer of which could reasonably be expected to be detrimental to the interest or reputation of the Interlake School Division.

- f) Private endeavors must not provide the appearance of an opportunity for wrongdoing or unethical conduct. Private endeavors are all those aspects of an employee's activity outside those connected with official Interlake School Division duties. These include:
- i. financial interest;
 - ii. paid and unpaid activities beyond official duty; and/or
 - iii. relationships with third parties who may be:
 - employed by the Interlake School Division
 - doing business with the Interlake School Division and/or
 - seeking employment or benefits from the Interlake School Division.
- g) It is recognized that certain employees of the Division may belong to professional associations and that such employees are expected to adhere to the codes of conduct as established by their respective professional associations. It is not intended that this policy infringe on the said codes of conduct.

2. Conflict of Interest

- a) Employees of Interlake School Division shall be deemed to be in conflict of interest if they:
- i. Are party to a subsisting contract with the Division other than a contract of employment under which money of the Division is payable or may become payable.
 - ii. Have a shareholding interest in any private corporation (other than a corporation whose shares are publicly traded) which has a subsisting contract with the Division under which money of the Division is payable or may become payable.
 - iii. Use information gained through their positions as employees of the Division to gain pecuniary benefit either directly or indirectly.
 - iv. Disclose information gained through their positions as employees of the Board for the benefit of others.

The above section does not apply if employees have the prior approval of the Division, to enter into a contract with the Division or with persons contracting with the Division.

3. Criminal Conduct

- a) Employees shall be expected to notify the Superintendent/CEO and/or Human Resources Officer of all criminal charges at the time the charge is issued, except for minor traffic violations.
- b) Employees charged with an offence under the Criminal Code of Canada may be suspended from employment dependent on the nature of the offence and its relationship to their duties. Circumstances will dictate whether the suspension is with or without pay.
- c) Conviction of any criminal offence may result in termination of employment with the Division.

4. Alcohol and Drug Free Worksites

- a) The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol is prohibited while on duty or present at the workplace. However, the Division permits the possession or use of prescription and over-the-counter drugs under the following conditions:
 - i. Any prescription drug in the employee's possession or used by the employee is prescribed to the employee.
 - ii. The employee is using the prescription or non-prescription drug for its intended purpose and in the manner directed by the employee's physician.
 - iii. The use of the prescription or non-prescription drug does not adversely affect the employee's ability to safely perform their duties or result in impairment.
- b) Appearance at work while under the influence or impairment of any legal or illegal substance may result in a request to leave the workplace. Violation shall result in appropriate action such as requiring an employee to participate in a drug rehabilitation program, or disciplinary action up to and including immediate suspension and dismissal.

5. Gifts and Payments

- a) Interlake School Division employees shall not accept a gift, payment, favour or service from any individual or organization in the course of performance of their assigned duties if that gift, payment, favour or service:
 - i. Is other than a normal exchange of hospitality between people doing business.
 - ii. Affects the fair and unbiased reception or the evaluation of the materials or services offered for use by the Division.

6. Misuse of Division Property

- a) Division property, including vehicles, equipment and material, shall be used only in the performance of assigned duties and shall not be used for personal benefit or non-Division use.
- b) Principals or managers have the authority to develop procedures relevant to the use of Division-owned property in their particular school or department dependent upon the nature of assigned duties and the equipment or property used to perform same.
- c) Principals or managers may authorize the use of supplies or equipment by Division personnel if they feel that such use will assist employees in their assigned work. It may be required that some personnel regularly retain Division-owned supplies or equipment in their possession.
- d) Principals or managers releasing such equipment are responsible for maintaining a written record of same indicating the time of release, the signature of the user, and the date on which the item is returned.
- e) Employees are held responsible for exercising all reasonable care to prevent abuse to, excessive wear of, or loss of Division-owned equipment or material entrusted to their care.

7. Outside Employment

- a) Employees may take supplementary employment, including self-employment, unless such employment:
 - i. Is performed in such a way as to appear to be an official act or represent an opinion of the Division.
 - ii. Interferes with, influences or affects the performance of duties for the Division.
- b) Staff in the positions of Superintendent/CEO, Assistant Superintendent or Secretary Treasurer shall not become engaged whether as a Director or in the management of any commercial enterprise except with the express approval of the Interlake School Division Board of Trustees. The approval of the Board of Trustees will not be unreasonably withheld if the aforementioned staff member's involvement in the commercial enterprise does not have a connection with or an adverse influence on the Interlake School Division.
- c) Employees who author or create, print, non-print, courseware, software or other instructional resource materials are deemed to be the owners of this material only if such materials are developed on the employees' own time.

8. Nepotism

- a) In the employment and assignment of personnel, employees may not be employed in the school or department where their immediate supervisor is a relative.
- b) Relatives shall be defined as including the spouse, mother, father, grandparents, or grandchildren of the employee or of the spouse, common-in-law of the employee, and the spouse, common-in-law, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee.
- c) The provisions of this policy may be waived by the Division when the assignment or placement of both relatives is of such a nature that no reasonable alternatives are available.

B. Disciplinary Procedures

1. Inappropriate conduct will be dealt with as soon as possible after the incident.
2. The following actions will usually be taken:
 - a) First infraction: Verbal warning will be given to the employee.
 - b) Second infraction: A written reprimand will be issued to the employee and will be placed in his/her personnel file.
 - c) Third infraction: The employee will be suspended for a period of time with or without pay as determined by the Division.
 - d) Fourth infraction: The employee will be subject to dismissal.
3. In extraordinary circumstances, a written reprimand, immediate suspension and/or dismissal may be used without having to issue verbal and/or written reprimands.
4. If an employee is being disciplined for inappropriate conduct, he/she may have representation present.

C. Right to Appeal

Employees who are not satisfied with action taken with respect to enforcement of this Procedure are entitled to pursue the matter in the manner set forth as follows:

1. For those matters which are covered by the employee's respective collective agreement, the matter may be pursued in accordance with the grievance or appeal outlined in the said collective agreement or Non-Union Handbook.
2. In those instances where the matter is not covered by the employee's respective collective agreement or Non-Union Handbook, the issue may be pursued by the employee's submission of an appeal in writing to the Superintendent/CEO within ten working days after the said action has been taken.