

POLICIES AND PROCEDURES

Title: Conflict of Interest	Policy Number: Col-2016
Effective Date: Sept. 20, 2014	Supercedes:
Date Approved by Board: Oct 17 2017	Pillar: Governance Manual

POLICY STATEMENT

The honesty and integrity of Tennis BC demands that the impartiality of employees and contractors (“Employees”), in the conduct of their duties, be above suspicion. Employees’ conduct should instill confidence and trust and must not bring our organization into disrepute.

A conflict of interest occurs when an employee’s private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee’s duties or responsibilities.

EXPECTATION

All Employees of Tennis BC are expected to act in a manner which will enhance Tennis BC's reputation for ethical conduct in all of its dealings.

POLICY:

A conflict of interest will be deemed to exist:

1. **General Benefit:** When Employees place themselves or have the appearance of placing themselves in a position where they are under any obligation to any person or organization which might benefit from improper consideration or favour;
2. **Financial Benefit:** When an Employee seeks or has the appearance of seeking, gaining, receiving or benefiting financially from preferential treatment in the discharge of their duties and responsibilities to Tennis BC. Cash payments in any amount must not be accepted or given as a gift or favour under any circumstances.
3. **Outside Remunerative and Volunteer Work:** Employees may engage in remunerative employment with another employer, carry on a business, or engage in volunteer activities provided it does not:
 - a. interfere with the performance of their duties;
 - b. bring Tennis BC into disrepute;
 - c. represent a conflict of interest or create the reasonable perception of a conflict of interest;

- d. involve the unauthorized use of work time or premises, services, equipment or supplies to which they have access by virtue of their employment; and
- e. gain an advantage that is derived from their employment as an employee.

4. Participation: Employees place themselves or have the appearance of placing themselves in the position of:

- a. Participating in the selection of any Provincial team if the individual or a member of the individual's family, whether or not the Participant and Employee in question share the same domicile, is a potential candidate for selection.
- b. Participating in decision-making at the municipal/club level which influences or could be seen as influencing decisions at the Provincial level and vice versa. Examples could include Provincial Team Coach or Manager or Provincial Committee member. This does not include Provincial duties that are required by virtue of participating in a municipal/club capacity.

Examples of conflicts of interest include, but are not limited to, the following:

- an employee uses Tennis BC property or the employee's position or affiliation to pursue personal interests;
- an employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
- an employee, in the performance of official duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
- an employee benefits from, or is reasonably perceived to have benefited from, the use of information acquired solely by reason of employment;
- an employee benefits from, or is reasonably perceived to have benefited from, a transaction over which the employee can influence decisions (for example, sales, purchases, contracts, or appointments);
- an employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their employment other than:
 - the exchange of hospitality between persons doing business together;
 - tokens exchanged as part of protocol;

- the normal presentation of gifts to persons participating in public functions;
 - the normal exchange of gifts between friends; and
 - an employee solicits or accepts gifts, donations or free services for work-related leisure activities other than in situations outlined above.
- **NOTE:** This policy is not intended to prohibit the acceptance or giving of common courtesies associated with accepted business practices, including accepting or giving gifts of nominal value which could not be construed as a bribe or other improper payment.
 - **NOTE:** This policy is not intended to prohibit the payment of honoraria by Tennis BC to Employees who are entitled, by virtue of services performed or rendered, to receive such honoraria.

Disclosure

Prior to the appointment, election, recognition or employment of any Employee, said Employee shall be provided with the Conflict of Interest Guidelines and will be expected to declare that they have no business, commercial, financial, professional, property or similar interest(s) which in their opinion might be construed as being in actual, perceived or potential conflict with the duties and responsibilities of the position offered.

- a. If, prior to appointment, election, recognition or employment, any Employee discloses interest(s) which may be or have the appearance of being in conflict with the interests of Tennis BC, the Employee agrees that an undertaking on their/its part will be required to correct, if found in actual, perceived or potential conflict with the duties and responsibilities of the position offered.
- b. Should conflict of interest, or perceived conflict of interest occur once an Employee has been hired, or contracted, this conflict must be disclosed immediately.
- c. In the case of reported situations of conflict of interest:
 - i. The appropriate individual will advise the Executive Director in writing if a conflict of interest exists and the Executive Director will inform the President if the situation must be resolved by the Board of Directors.
 - ii. In all cases of conflict of interest or having the appearance of conflict of interest, the Board of Directors must be advised of the resolution or disposition of both.
- d. Employees who find themselves in an actual, perceived or potential conflict of interest must disclose the matter to the Executive Director in writing, immediately. Employees who fail to disclose may be subject to disciplinary action up to and including dismissal.

- e. Employees who have declared a conflict of interest, or who may have the appearance of being in conflict must remove themselves from the discussion and decision-making process affected by that conflict.

- f. Where a Tennis BC Employee has failed to disclose a conflict of interest and if the Executive Director has determined that a conflict of interest exists, the Executive Director will take the following actions:
 - i. Request that the Employee's actions be justified in writing;
 - ii. Discuss the circumstances with the President, to be reviewed at the next Board Meeting (or if circumstances necessitate an immediate decision, convene a Board Meeting by conference call); and
 - iii. Following a decision by the Board, the President, with the Executive Director, will meet with the employee and deliver the decision, which could include dismissal.