

ATHLETICS ALBERTA

Conflict of Interest Policy

Definitions

1. The following terms have these meanings in this Policy:
 - a. “*Conflict of Interest*” – A real or seeming incompatibility between one’s private interests and one’s public or fiduciary duties.
 - b. “*Pecuniary Interest*” - An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated.
 - c. “*Non-Pecuniary Interest*” - Family relationships, friendships, volunteer positions in associations or other interests that do not involve the potential for financial gain or loss.
 - d. “*Perceived Conflict of Interest*” – An objectively reasonable view by an informed bystander that a conflict of interest exists or may be perceived to exist.
 - e. “*Athletics Alberta Representatives*”- Individuals employed by, or engaged in activities on behalf of, Athletics Alberta including: coaches, staff members, convenors, contract personnel, volunteers, managers, administrators, committee members, and Directors and Officers of Athletics Alberta.

Purpose and Application

2. The purpose of this Policy is to describe how Athletics Alberta Representatives will conduct themselves in matters relating to real or perceived conflicts of interest, and to clarify how Athletics Alberta will make decisions in situations where conflicts of interest may exist.
3. This Policy applies to all Athletics Alberta Representatives as defined in the **Definitions** section.

Obligations

4. Any real or perceived conflict, whether pecuniary or non-pecuniary, between an Athletics Alberta Representative’s interest and the interests of Athletics Alberta, must at all times be resolved in the interests of Athletics Alberta.
5. Athletics Alberta Members will not:
 - a. Engage in any business or transaction, or have a financial or other personal interest that is incompatible with their official duties with Athletics Alberta, unless such business, transaction or other interest is properly disclosed to Athletics Alberta and approved by Athletics Alberta;
 - b. Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration, or who might seek, in any way, preferential treatment;
 - c. In the performance of their official duties, accord preferential treatment to family members, friends or colleagues, or to organizations in which their family members, friends or colleagues have an interest, financial or otherwise;
 - d. Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with Athletics Alberta, where such information is confidential or is not generally available to the public;

- e. Use Athletics Alberta property, equipment, supplies or services for activities not associated with the performance of official duties with Athletics Alberta without the permission of Athletics Alberta;
- f. Place themselves in positions where they could, by virtue of being a Athletics Alberta Representative, influence decisions or contracts from which they could derive any direct or indirect benefit or interest; or
- g. Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of being an Athletics Alberta Representative.

Disclosure of Conflict of Interest

- 6. An Athletics Alberta Representative will disclose a conflict of interest or potential conflict of interest to Athletics Alberta's Board of Directors immediately upon becoming aware that there exist real or perceived conflicts of interest to be dealt with in accordance with the terms of this policy.
- 7. Any person who is of the view that an Athletics Alberta Representative may be in a position of conflict of interest may report this matter in writing to Athletics Alberta's Board of Directors to be dealt with in accordance with the terms of this policy.

Conflict of Interest Involving Employees other than the Executive Director

- 8. As a term and condition of employment, employees of Athletics Alberta are prohibited from engaging in decisions or transactions that may involve a conflict of interest or perceived conflict of interest with their employment unless they receive express written consent from the Executive Director.
- 9. Any determination as to whether there is a conflict of interest for an employee will rest solely with the Executive Director. Where a conflict of interest or perceived conflict of interest is deemed to exist, the employee will resolve the conflict by ceasing the activity, giving rise to the conflict. As an example, a conflict of interest might arise from accepting employment contracts or volunteer appointments that would be inconsistent with an employee's employment relationship or diminish their ability to perform their duties with Athletics Alberta.
- 10. In all cases, before giving or withholding express written consent, the Executive Director will advise the Board of Directors of the employee's name and the nature of the real or perceived conflict of interest with their employment.

Conflict of Interest Involving the Executive Director

- 9. As a term and condition of employment, the Executive Director of Athletics Alberta is prohibited from engaging in decisions or transactions that may involve a conflict of interest or perceived conflict of interest with his or her employment unless he or she receives express written consent from the Board of Directors.
- 10. Any determination as to whether there is a conflict of interest for the Executive Director will rest solely with the Board of Directors. Where a conflict of interest or perceived conflict of interest is deemed to exist, the Executive Director will resolve the conflict by ceasing the activity, giving rise to the conflict. As an example, a conflict of interest might arise from accepting employment contracts or volunteer

appointments that would be inconsistent with the Executive Director's employment relationship or diminish his or her ability to perform their duties with Athletics Alberta.

11. The Board of Directors will implement corrective action, if required.

Conflict of Interest Involving Non-Employees

10. Where a non-employee is engaged in a decision or transaction that may involve a conflict of interest or perceived conflict of interest with his or her duties as a Representative, he or she will disclose the conflict of interest or perceived conflict of interest to the Board of Directors.

11. Any determination as to whether there is a conflict of interest for the member will rest solely with the Board of Directors.

12. Where a conflict of interest or perceived conflict of interest has been found to exist, then, at the earliest convenience:

- a. It will be recorded in a motion to the Board of Directors. The motion will set out, as fully as possible, the nature of that Representative's conflict of interest together with the intention that Athletics Alberta will disclose it to the body that is considering or making the decision that is the subject of the conflict of interest.
- b. In no case may the Representative who is subject to the motion and also on the Board of Directors vote on it or be considered in determining whether a quorum of the Board of Directors is present, although he or she may be invited to provide information by speaking to the motion.
- c. Disclose the conflict of interest of the member to the body that is considering or making the decision.

Enforcement

13. Failure to adhere to this Policy may give rise to discipline in accordance with Athletics Alberta's *Discipline and Complaints Policy*.