

AP 428 – Employee Standards of Conduct

Purpose

The Board of Education of Nanaimo Ladysmith Public Schools (NLPS) is committed to providing an environment that supports its core values of accountability, collaboration, ethical standards, inclusion, respect and transparency throughout the NLPS community. The Employee Standards of Conduct are designed to cultivate our individual and collective accountability and serves to advance the vision of Success For All.

Expectations for Staff

The Standards of Conduct outlined in this Administrative Procedure are intended to provide guidance on the behaviours that support NLPS values. All employees of NLPS have the responsibility to understand and conduct themselves in accordance with the principles set out in this document as it is critical to building and maintaining the trust of the NLPS community. There may be consequences including disciplinary actions for failure to comply with these Standards of Conduct. Employees with questions concerning any aspect of this Procedure are encouraged to discuss the matter with their Principal, Manager and/or direct Supervisor.

Employees who become aware of a breach of these standards must report the matter to their Principal, Manager, direct Supervisor or a representative of the Human Resources Department. NLPS will use all reasonable efforts to protect the identity of employees who report their concerns under these Standards, except where disclosure is necessary to ensure for a full and fair investigation or is otherwise required by law.

Professional Conduct

NLPS recognizes the right of all employees to work in a safe and healthy environment, free from bullying, discrimination and harassment. It is expected that all employees are professional and respectful in all their interactions with students, parents, co-workers, employees, contractors and the general community. Employees are expected to conduct their employment responsibilities in an honest, trustworthy, impartial, diligent, and non-offensive manner. Employees shall adhere to the policies, practices, and procedures of the District, in addition to their governing codes of professional conduct (if any).

Bullying, harassment, discriminatory conduct and violence in the workplace are serious employment offences. Employees must not make comments or engage in conduct which they know or ought to know is intimidating, humiliating, hostile, offensive, discriminatory or violent. Everyone is responsible for upholding the Board's responsibilities under the *Human Rights Code*. Employees must refrain from any comments or behaviors which are known or ought to be known to

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discriminate on the basis of race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, age or unrelated criminal conviction. Allegations of bullying, discrimination and harassment will be dealt with in accordance with *Administrative Procedure 425 – Bullying & Harassment Staff*

Employees seeking further information should consult [AP 425 – Bullying & Harassment Staff](#); [AP 419 – Violence in the Workplace](#)

Inclusion

Inclusion in NLPS is based on the principles of respect, acceptance, safety, and equity. It is the recognition and honoring of diversity and valuing the contributions of all members of our school communities, and to ensure that all employees reflect on how their interactions can create a respectful, accepting, safe, and supportive environment for the students and staff of our school communities.

The Board of Education of School District No. 68 recognizes that visible and invisible diversities exist and therefore is committed to creating an inclusive environment for all who learn and work in NLPS. The Board affirms that a learning environment that reflects diversity, inclusivity, and equity is essential in supporting the highest levels of individual growth and achievement.

Employees seeking further information should consult NLPS [Policy 2.10 – Inclusion](#)

Relationships with Students

Employees are role models and need to exhibit the highest qualities of character, including honesty, integrity, trustworthiness and compassion. Employees must never abuse the privileged position of authority, trust and influence they hold with students. Employees must respect and maintain appropriate boundaries between themselves and students, acting at all times in a manner consistent with their obligations under these Standards and any applicable professional code of conduct.

Smoke Free Environment

The Board of Education believes that a smoke free environment is essential for its students and employees. Smoking and the use of tobacco products is prohibited on property owned and/or operated by NLPS for the purpose of delivering educational programs, with exceptions related to traditional aboriginal activities.

Parents, students, staff and visitors cannot smoke, hold lit tobacco, use chewing tobacco or electronic nicotine delivery systems (vaping) anywhere on school property at any time whether or not school is in session. This prohibition applies to school buildings, parking lots, sports fields, driveways, courtyards and private vehicles in school parking lots. It applies to District vehicles, wherever they may be at any time. [AP 247 – Smoke Free Environment](#)

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Drug, Alcohol and Medication Use

In these Standards:

Alcohol: includes wine, beer, distilled spirits and any liquid containing ethyl alcohol, whether or not intended as a beverage. It is not intended to include other products containing alcohol which are not intended for consumption, provided such products are used as directed.

Medication: means a drug that is intended by the manufacturer, a physician, or the user for the treatment of a physical or mental condition, whether or not the drug is prescribed by a physician.

Drug: includes any substance which affects physical or mental capacity (other than Alcohol, or Medication) the possession, use, or sale of which is prohibited, restricted or controlled by law. Employees must not perform duties for NLPS while impaired by the effects of alcohol, drugs or medications. NLPS and those who perform services on its behalf have a shared responsibility to maintain a safe and healthy work environment. Employees are role models for students and fellow employees. An employee impaired during their hours of work or while engaged in District work, can have a serious adverse affect on the health, safety and productivity of NLPS employees, and may undermine parent and community confidence and compromise the reputation of NLPS.

To support this requirement, the District prohibits:

- The use or consumption of alcohol, drugs or medication, including cannabis, that may have an impairing affect at any time when an employee is at work, during lunch or other breaks, on or off NLPS premises
- The use or consumption of alcohol, drugs or medication, including cannabis during lunch or other breaks as it undermines parent and community confidence or compromises the reputation of NLPS
- The possession, distribution, offering for sale or sale of, alcohol, drugs, or medication, including cannabis, that may have an impairing affect, at any time when an employee is at work on or off NLPS premises.

Employees are responsible for their use or consumption of alcohol, drugs, and medication preceding work and must allow sufficient time for the impairing effects of those substances to have fully resolved prior to the employee's scheduled work time.

If an employee believes that a worker is impaired by alcohol, drugs, or medication, or observes what appears to be an unsafe or harmful condition or act, the employee must take reasonable action to prevent that worker from working and report it to their Principal, Manager, direct Supervisor or a representative of the Human Resources Department immediately.

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When attending or hosting NLPS sponsored events or events on NLPS property after an employee's regular hours of work, staff are expected to model responsible and safe behaviour which does not adversely impact the reputation or operation of NLPS. Cannabis cannot be consumed on NLPS property at any time or while attending or hosting NLPS events off site. This includes but is not limited to compliance with Section 253 of the Criminal Code of Canada, the Motor Vehicle Act of BC (impaired driving laws) as well as the BC Liquor Control and Licensing Act and the Liquor Control and Licensing Regulation.

Use of Prescribed Medications

Where an employee is required to use a medication (including but not limited to medical cannabis) during their hours of work or at a time that could cause the employee to be impaired during their hours of work, whether on or off of District premises, they must notify the Human Resources Wellness Consultant of their medication use.

Following disclosure, NLPS will work with employees to confirm that a valid prescription is in place, determine the extent of impairment caused by the medication, and consider the nature of the employee's work and potential accommodations, consistent with its obligations under the *Human Rights Code*.

Substance Use Disorders

NLPS understands that certain individuals may develop an addiction or substance use disorder related to their use or consumption of drugs, alcohol, or medication, and recognizes its duty to accommodate employees with disabilities, including substance use disorders, to the point of undue hardship.

NLPS recognizes that substance use disorder is a treatable disability, subject to relapse, where early intervention greatly improves the probability of a lasting recovery, and encourages employees affected by substance use disorders to seek treatment and rehabilitation as soon as possible.

Employees with addictions or substance use disorders are encouraged to obtain treatment before their use of drugs, alcohol, or medication affects the safety of their work. Where an employee has or suspects they may have an addiction or substance use disorder, they are strongly encouraged to notify the Human Resources Wellness Consultant.

NLPS will work with the employee to determine what, if any, accommodation can reasonably be provided to that individual. No employee who discloses a substance use disorder will be disciplined solely because of the disclosure or their involvement in a rehabilitation effort. This does not prevent NLPS from taking corrective action where the employee's substance use has already resulted in the unsafe performance of work prior to disclosure.

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Professional Attire

Employees are expected to come to work wearing appropriate and professional attire. Common sense, reasonableness and good judgment should prevail when selecting work attire that is appropriate for the intended educational or business activity and in accordance with WorkSafe BC and other safety considerations. *Employees seeking further information should consult [AP 352 - School Attire Expectations](#)*

Confidentiality and Privacy

In the course of employment or while performing their duties, NLPS staff may be given access to or become aware of confidential or proprietary information of the School District. Under the *Freedom of Information and Protection of Privacy Act*, employees working with confidential information and systems, must always follow relevant NLPS protocols and take appropriate safeguards to ensure it is stored securely and protected against unauthorized access. Employees must also refrain from discussing students' personal information with their families and friends and must not discuss a student's personal information with a co-worker, unless disclosure is necessary for the co-worker's performance of their duties. If an employee is aware of any inappropriate disclosure of confidential or sensitive information, it is their responsibility to notify their Principal, Manager, and/or direct Supervisor or the Executive Director of Communications, Privacy & Community Engagements.

Employees seeking further information should consult:

[AP102 – Electronic Communication for NLPS Employees.](#)

[AP 210 – Appropriate Use of School District Technology](#)

[AP 335 – Student and Employee Personal Privacy on the Internet](#)

Social Media

Nanaimo Ladysmith Public Schools welcomes the responsible use of social media technologies and other forms of electronic communication to support learning and for School District business and communication purposes. However, social media usage must be undertaken in a manner that is respectful, privacy compliant and consistent with the role of School District staff within the community. *AP 107 – Social Media and AP102 Electronic Communication for NLPS Employees* further outlines employee and student responsibilities when posting material online and exchanging electronic communications with students, parents and co-workers. It applies to social media use and other electronic communications by employees whether during the hours of work or at other times, on the NLPS network or from outside the NLPS network, and on NLPS devices or personal devices.

Employees seeking further information should consult:

[AP 107 – Social Media;](#)

[AP 102 - Electronic Communication](#)

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Appropriate Use of District Property

Employees are responsible for exercising all reasonable care to prevent abuse to, excessive wear, loss or damage to NLPS owned equipment or materials entrusted to their care.

Board assets, whether in physical or intangible form, are intended to help employees achieve business goals. Board assets are primarily to be used for legitimate business purposes. Employees may occasionally use company resources such as a photocopier machine, telephone or e-mail for personal use if there are no measurable increased costs, and other employees or students are not distracted or inconvenienced by the use of those resources. Employee usage of NLPS resources must be authorized by the site Principal, Manager, and/or direct Supervisor.

Off Duty Conduct

NLPS respects employee privacy and personal autonomy in activities outside of work, however, an employee's actions at work and in their personal life have the potential to negatively affect NLPS operations, reputation and work environment and employees are accountable for those actions. Employees must not engage in off-duty activities which place them in a conflict of interest whether actual or perceived or which negatively affect NLPS operations, reputation and work environment. Social media and online posts and discussions are governed by this section.

Criminal Conduct and Compliance with the Law

Employees must immediately notify a Senior Human Resources Official if they are charged with a criminal offence which may be relevant to their employment, including but not limited to, a relevant or specified offence under the *Criminal Records Review Act*. Employees who are not sure whether to disclose a particular charge should err on the side of caution and seek advice from the Human Resources Department. Employees must fully comply at all times with all laws applicable to their job. Employees must never commit or condone an illegal act or counsel another employee to break the law. If an employee is aware of an action or practice which they think may be in violation of the law, they must raise this concern with a responsible Principal, Manager, and/or direct Supervisor without delay.

Professional Qualifications

Employees must hold and retain any qualifications and licenses required by the job description and profession. This includes keeping required qualifications and licenses current and valid. Employees who are members of a recognized profession required for the position and supported by NLPS, are expected to:

- Keep abreast of professional developments in the relevant field
- Perform their duties in accordance with the recognized standards of that profession
- Abide by any code or standards of conduct adopted by the relevant professional association

If an employee's professional obligations or standards are in conflict with these Standards of Conduct or with NLPS directions to the employee, the employee must promptly notify and seek guidance from their Principal, Manager and/or direct Supervisor.

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Conflict of Interest

The employees of Nanaimo Ladysmith Public Schools occupy positions of great public trust and confidence. They are expected to discharge their duties and responsibilities professionally, efficiently and impartially. The onus is on each employee to anticipate and to avoid conflicts of interest. It is imperative that employees always be seen as acting in the best interests of the public they serve, and do not compromise themselves in the discharge of their duties.

A conflict of interest arises when an individual is or may be advancing one's own interests in a manner that is detrimental to the interests, integrity, or fundamental mission of NLPS. As a public institution the School District must not allow conflicts or perceived conflicts to exist.

The most common potential conflicts faced by NLPS employees include:

- Personal relationships at work – When an employee is in a position to influence personnel decisions (such as recruitment, offer of employment, evaluation of performance, promotion or termination of employment) with respect to another with whom they have a direct relationship that person will be viewed as being in a conflict of interest.
- Gifts – the receipt of gifts from parents or service providers can give rise to the appearance of a conflict of interest. Gifts of more than \$200 in value must not be accepted.

An employee is expected to disclose a potential Conflict of Interest to their Principal, Manager, direct Supervisor or a Senior Human Resources Official before engaging in any activity that might reasonably raise questions regarding a conflict of interest.

Employees seeking further information should consult [AP 410 – Employee Conflict of Interest](#) for definitions and more information on Acceptance of a Remuneration or Gift, Acquisition of Goods or Services, Ownership Rights and Personal Gain

Duty to Report

When an employee is aware they have a possible conflict of interest, they must disclose it, within 30 days, to their Principal, Manager, and/or direct Supervisor.

Employees will outline:

- Specific duties that are relevant to the possible conflict
- Specific private interests relevant to the possible conflict
- Any interests of NLPS that the employee is aware of related to upholding public trust and confidence

When a possible conflict of interest has been reported, the Principal, Manager and/or direct Supervisor will notify the Superintendent or a Senior Human Resources Official to determine if a breach of this Procedure has taken place.

Effective: February 5, 2020