

Conflict of Interest Policy

SMUFU Executive Approved: October 14th, 2021

1.1. Definition: A “conflict of interest is generally understood to be a circumstance or a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary interest.” (CAUT, 2016).

- a. Members with decision-making power involving collegial processes including but not limited to hiring, reappointments, promotions, funding, and curricular decisions are most at risk of being in a conflict of interest.
- b. Conflict of interest is distinct from an apprehension of bias, in which a secondary interest may be reasonably perceived to potentially unduly or inappropriately influence a SMUFU member’s assessment or judicial decision.

1.2. Examples of Conflict of Interest: situations where conflicts of interest arise when there is a reasonable presumption that the member stands to benefit or to be harmed from a certain resolution of the issue. These could include:

- a. stand to benefit or be harmed financially and/or professionally;
- b. have families or close friends who stand to benefit or be harmed financially and/or professionally;
- c. have careers or reputations which stand to be advanced or delayed;
- d. have a pre-existing conflict with persons who might benefit or be harmed by a decision or outcome;
- e. will benefit or be harmed by decisions made by the person whose case is being heard.

1.3. Additional considerations: Members who believe that another voting or non-voting member or any other person who may be present at a committee meeting, discussion, or process, has a potential conflict of interest, or that there may be a perceived bias, should bring this to the chair of the committee or to the SMUFU Executive.

1.4. Declaration of Conflict of Interest: It is the duty of any voting or non-voting member of the SMUFU Executive, the Grievance & Arbitration Committee, the Health and Wellness Trust, Scholarship Committee, Social Benefits Committee, and any other relevant committees of SMUFU; and the duty of any member representing SMUFU as an observer of a University committee or process according to the Collective Agreement, to:

- a. complete the SMUFU Annual Declaration of Conflict of Interest Form;
- b. to disclose the conflict of interest to the relevant SMUFU Committee;
- c. to offer an assessment to the relevant SMUFU Committee regarding the nature of the risk;
- d. and participate in the decision making process toward a remedy up to and including recusal of the member in question from the specific collegial decision-making process or decision.

1.5. Processes for Dealing with Conflict of Interest Declarations: where any conflict of interest or potential conflict of interest declaration is made by any voting, non-voting member or other person pursuant to 1.2 & 1.3 above, then the:

- a. The Chair should ensure that the first item on the agenda should be to review potential conflicts and apprehension of bias in items requiring decisions. At any time during a discussion/process, if a member recognizes that there is a potential bias or conflict, that member should recuse themselves from the process.
- b. The Chair of the relevant committee should ensure that conflict of interest forms have been completed.
- c. Members in conflict should
 - i. abstain from discussion of the matter under consideration except where invited to do so by the Chairperson of the meeting at the request of any member of the meeting on points of clarification, or,
 - ii. in the case of voting members, abstain from any vote or straw vote taken in that matter, and,
 - iii. shall take no part in any negotiations or decision making with any party involved in that grievance or potential grievance.
- d. Any member of the SMUFU Executive, the Grievance & Arbitration Committee, or any other SMUFU committee may propose that the member(s) in conflict recuse themselves from discussion of the matter in hand.
 - i. If a voting member voluntarily recuses themselves from the discussion of that matter then such a motion must be seconded and discussed according to the Union's rules of order.
 - ii. The member(s) concerned shall have the right to speak to and discuss the proposition before any vote is taken.

Adapted and revised from the Conflict of Interest guidelines of CAUT Council, November 2016.

Appendix:

Conflict of Interest Form