

## Definitions

*Conflict of Duty* – A set of circumstances in which a Students' Union official holds a position in another organization, and the duties of that position may reasonably be perceived to bias their judgement in the exercise of an official power, duty, or function.

*Conflict of Interest* – A set of circumstances in which the Private Interests of an individual, Directly Associated Person or Organization may reasonably be perceived to bias a decision maker's judgement in the exercise of an official power, duty, or function.

*Directly Associated Person* – Any person or entity associated with an SLC member, CRO, Speaker, Review Board Member, Tribunal Member, or Student-at-Large, including a family member, interdependent adult, close personal friend, business associate or partner, or any corporation, joint venture partnership, or business entity. Nevertheless, friendships between SLC members do not fall within the definition of Directly Associated Person.

*Nuisance Motion* – A main, subsidiary, or incidental motion which deliberately obstructs the business and function of a meeting without reasonable cause. Nuisance Motions often rely on trivial technicalities and aim to provoke irritation or amusement. Points of principle and honest disagreement over interpretation of rules do not constitute Nuisance Motions.

*Official* – A Faculty Representative or Executive, either elected or appointed.

*Private Interest or Benefit* – Any matter which would be of direct professional or monetary benefit to an elected or appointed official or a Directly Associated Person, not including benefits to broader groups of students. Also, any matter involving the appointment of that official or a Directly Associated Person to a position or role inside or outside the Students' Union. Also, any gift of greater value than a socially or professionally acceptable token.

*Professional Misconduct* – Behaviour by an elected or appointed official that may bring the reputation of the Union into disrepute. Such conduct may include: abusing a person verbally, physically, emotionally, or sexually; breaching municipal, provincial, or federal legislation or regulation; misappropriating the personal property of others or SU resources; falsifying records; inappropriately using one's position within the union for personal gain; publishing or causing to be published, information that is false, fraudulent, deceptive, misleading, or in violation of Union Policy.

### **Authority and Mandate**

- 1 As per the Union Bylaw, SLC may make procedures respecting the conduct of elected and appointed officials when acting or perceived to be acting as representatives of the Students' Union.
- 2 As per the Union Bylaw, elected and appointed officials may be subject to discipline if they fail to adhere to any Code of Conduct established by SLC.
- 3 The Policy Development and Review Policy mandates SLC to create policy which gives substance to the vision, mission, and values of the SU.

### **Purpose**

- 4 The purpose of this Code of Conduct is to guide and enhance the performance of official duties in a positive and productive way.
- 5 The Code of Conduct provides consistent answers to common questions about appropriate decision-making by elected and appointed officials.
- 6 Where necessary, the Code of Conduct outlines firm standards of behavior as statements of principle.
- 7 The Code of Conduct establishes that officials are accountable to themselves, to SLC, to any faculty which elected them, to any other officials representing that faculty, and to the student body as a whole.

### **Representing the Students' Union**

- 8 An elected or appointed official represents the Students' Union while carrying out core responsibilities, including but not limited to:
  - (a) When meeting formally with university staff, faculty, or government officials;
  - (b) When communicating with the media by virtue of their position within the Students' Union;
  - (c) When attending or officiating at any formal event or meeting of the Students' Union;
  - (d) When attending any University of Calgary committee or governing body;
  - (e) When making financial decisions within the purview of their official role; or
  - (f) When interacting with Active Members in a way that is required by their official role.

- 9 As reasonable, an elected or appointed official may also be considered to represent the Students' Union in other circumstances, including but not limited to:
  - (a) When meeting informally with university administration or government officials;
  - (b) When communicating with the media on any matter;
  - (c) When wearing easily identifiable Students' Union apparel or insignia;
  - (d) When participating in student club events;
  - (e) When attending a social or professional function or meeting by virtue of their position;
  - (f) When their action or inaction may reasonably be perceived to bring the students of the University of Calgary into disrepute;
  - (g) When interacting with Active Members in a way that could reasonably be perceived as relevant to their official role; or
  - (h) As determined case-by-case with a Simple Majority vote of SLC, as per the Union Bylaw.
- 10 Officials attending private or Students' Union social events should take reasonable care to avoid bringing the Students' Union or the student body into disrepute.
- 11 As per the Union Bylaw, Professional Misconduct includes any behavior which may bring the Students' Union into disrepute, regardless of context.

### **Respectful Conduct**

- 12 Officials shall maintain the highest standards of behavior when they could reasonably be considered to be representing the Students' Union.
- 13 In the performance of their duties, officials shall keep a professional standard of language regarding subject matter, profanity, and respect for parties both present and absent, and shall not engage in harmful gossip or slander.
- 14 Officials shall represent the interests of all undergraduate students at the University of Calgary, regardless of identity or opinion, and shall behave as such.
- 15 Officials shall dress appropriately while attending official meetings and functions of the Students' Union or the university.
- 16 Officials shall not unreasonably delay or impede official meetings and functions of the Students' Union or the university, such as by Nuisance Motions.

## Conflict of Interest

- 17 An official has a Conflict of Interest when they attempt to influence a Students' Union or university decision, when they reasonably ought to know that the decision may result in a real or perceived Private Benefit to themselves or a Directly Associated Person, including but not limited to:
- (a) When involved in a selection process in which they or a Directly Associated Person are a candidate, such as for a grant or scholarship;
  - (b) When increasing remuneration for themselves or a Directly Associated Person; or
  - (c) When involved in a funding decision for a student organization in which they are an executive.
- 18 An official generally does not have a Conflict of Interest:
- (a) When involved in a funding decision for a student organization in which they are a non-executive member;
  - (b) When voting to include themselves in a committee or subcommittee, unless the issue is contentious;
  - (c) When involved in a decision which would benefit a larger group to which they belong, such as decisions made for the benefit of an entire faculty;
  - (d) When voting to amend a meeting agenda to include a matter of Private Benefit;
  - (e) When offering impartial and verified information valuable to discussion of a matter of Private Benefit; or
  - (f) When remaining in the room during discussion of a matter of Private Benefit, unless required to depart by:
    - (1) Relevant policy or procedure;
    - (2) The discretion of the Chair or Speaker; or
    - (3) Consensus of the assembly.
- 19 An official shall disclose any real or perceived Conflict of Interest to SLC or to the Chair of any relevant SU Committee in a prompt and forthcoming manner.
- 20 If an official discloses a potential Conflict of Interest to SLC or an SLC Committee, that body shall decide by Super Majority vote whether the official has a Conflict of Interest sufficient to prevent participation in a decision.

- 21 An official who participates in a selection process, such as the Quality Money Committee or the Undergraduate Research Symposium, shall:
- a) Avoid all appearance of a Conflict of Interest relating to themselves or a Directly Associated Person;
  - b) Abstain from any vote to select or approve an individual submission to which they or a Directly Associated Person have contributed;
  - c) Respect confidentiality in all related matters;
  - d) Apply due diligence and impartiality to evaluation and selection of all other submissions;  
and
  - e) Vote as normal on the approval of any submission list that includes an individual submission to which they or a Directly Associated Person have contributed.
- 22 As per the Union Bylaw's definition of a Private Interest or Benefit, an official does not have a Conflict of Interest when voting on their own excusal motion for SLC or General Faculties Council.
- 23 A real or perceived Conflict of Interest may constitute Professional Misconduct if it brings the Students' Union into disrepute.

#### **Conflict of Duty**

- 24 An official has a Conflict of Duty when the core duties of their role conflict with duties to other organizations.
- 25 An official shall disclose any real or perceived Conflict of Duty to the appropriate authorities in a prompt and forthcoming manner.
- 26 If an official discloses a potential Conflict of Duty to SLC or an SLC Committee, that body shall decide by Super Majority vote whether the official has a Conflict of Duty sufficient to prevent participation in a decision.
- 27 Officials may, at their discretion, join and participate in organizations that will help them fill their core responsibilities, as listed in the Union Bylaw.
- 28 Officials do not automatically suffer from a Conflict of Duty by serving in General Faculties Council, student clubs, or faculty/department-specific assemblies.
- 29 In the interests of the welfare and reputation of the student body, officials should make every effort to serve faithfully in all positions in or outside the Students' Union; nevertheless, officials must place the highest priority on their core responsibilities, as listed in the Union Bylaw.

- 30 Officials shall consult the General Manager or designate<sup>1</sup> before supporting or opposing a political party, candidate, or cause as private individuals, such as by volunteering, fundraising, or speaking to media.
- 31 A real or perceived Conflict of Duty may constitute Professional Misconduct if it brings the Students' Union into disrepute.

### **Use of Authority**

- 32 Officials shall maintain the highest standards of behavior while they could reasonably be perceived to exercise the explicit or implicit authority of their offices, and shall not:
  - (a) Exert any improper or excessive use of authority to obtain or provide a benefit, including but not limited to a Private Benefit;
  - (b) Make false representations in the exercise of their authority; or
  - (c) Knowingly permit others to make false representations to the Students' Union.
- 33 Officials shall not engage in acts of retaliation, especially when drawing upon the explicit or implicit authority of their offices.
- 34 Officials shall not support or engage in behavior which they know or reasonably ought to have known to be threatening, coercive, or intimidating.
- 35 Officials shall not interfere with Students' Union employees' performance of their duties beyond the bounds of reporting relationships defined in Students' Union policy.
- 36 As per the Union Bylaw, any abuse of authority constitutes Professional Misconduct.

### **Use of Resources and Facilities**

- 37 Officials shall only use Students' Union resources for activities on behalf of the Students' Union and within the scope of their responsibility, unless:
  - (a) When permitted by Students' Union policy or procedure; or
  - (b) When non-substantive personal use is reasonable.

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<sup>1</sup> Officials should consult the Students' Union staff members responsible for external communications and government relations.

- 38 Officials shall adhere to all applicable laws and policies regarding the sustainable use, maintenance, documentation, and disposal of Students' Union resources and facilities.
- 39 Officials shall respect Students' Union spaces, particularly the Elected Official office, Executive offices, and shared areas, and shall:
- a) Be responsible for the conduct of any guests, including former officials;
  - b) Not bring alcohol, cannabis, or other intoxicants into the Students' Union offices; and
  - c) Take responsibility for cleanliness as appropriate.

### **Confidentiality**

- 40 Officials shall maintain the highest standards of confidentiality by:
- (a) Disclosing appropriate levels of information at appropriate times;
  - (b) Safeguarding sensitive legal, strategic, or personal information disclosed in confidence or by accident;
  - (c) Respecting the privacy of In-Camera meetings;
  - (d) Protecting information which affects the well-being of the students of the University of Calgary;
  - (e) Refraining from discussing details of contracts and business arrangements, including donations or terms of employment;
  - (f) Safeguarding details of decisions, processes, investigations, or policy changes which have not yet been finalized or made public;
  - (g) Not using confidential information in any way which might constitute a Private Interest or Benefit; and
  - (h) Properly disposing of confidential information.
- 41 Consulting with appropriate Students' Union staff does not constitute a breach of confidentiality.
- 42 In keeping with the highest standards of integrity, officials shall respect the confidentiality of all organizations of which they are members.
- 43 A breach of confidentiality may constitute Professional Misconduct if it brings the Students' Union into disrepute or can be proven to be deliberate.

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**Students' Union Elections**

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*General Principles*

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44 Officials shall uphold the integrity of the electoral process, including but not limited to:

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a) Respecting the impartiality of any decisions by the Chief Returning Officers;

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b) Upholding all relevant policy, procedures, and standards; and

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c) Making comparable advice and time available to all candidates and potential candidates for their position.<sup>2</sup>

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45 If taking part as candidates, officials shall fulfil all normal duties, obligations, and standards of behavior, including but not limited to:

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a) Serving on SU and University of Calgary committees;<sup>3</sup> and

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b) Fulfilling any operational commitments.<sup>4</sup>

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46 In the event of any apparent inconsistency between the Code of Conduct and the Elections Policy or Procedures, the Elections Policy and Procedures shall prevail.

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a) A violation of this Code of Conduct may also violate election rules, and vice versa.

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*Participating as Official Agents for Candidates*

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47 Executives shall not serve as official agents for any candidate.

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48 If a non-Executive official participates as an official agent, they shall obey any relevant policies, standards, and judgments, and shall consult with the General Manager or designate --(such as the Chief Returning Officers).

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*Participating as Campaign Volunteers*

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49 Executives shall not serve as campaign volunteers for any candidate.

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50 If a non-Executive official participates as a campaign volunteer, they shall obey any relevant policies, standards, and judgments, and shall consult the -General Manager or designate (such as the Chief Returning Officers) before volunteering.

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<sup>2</sup> Officials shall focus their advice on facts about their official duties and the nature of their position.

<sup>3</sup> For example, if an official has been appointed to the SU Clubs Committee or the university's General Faculties Council, the official has committed to attendance and informed participation.

<sup>4</sup> For example, if an official has joined the Teaching Excellence Awards Committee, the official has committed to participating in classroom visits.

51 Non-Executive officials shall not volunteer for any candidate running for the same position which the official currently holds.

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a) Nothing in section 51 shall be construed as limiting the legitimate orientation and training of successors, including acclaimed candidates.

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## Compliance

4352 If an official suspects a transgression of the Code of Conduct, their first recourse should be private discussion with the transgressing party or a relevant authority in most circumstances, unless the offense violates law or university policy.

4453 At any time, any party may report an official's suspected violation of the Code of Conduct by using the SLC Complaint Procedure.

4654 Officials shall not abuse the SLC Complaint Procedure, such as through frivolous, vexatious, trivial, or vindictive accusations.

4655 Unprovable complaints do not constitute frivolous accusations.

4756 If a clear violation of the Code of Conduct takes place within an SLC meeting, SLC may vote to issue a Warning and/or refer the matter to the SLC Complaint Procedure.

4857 If a potential violation of the Code of Conduct takes place outside an SLC meeting (such as within a committee meeting), an official may use the SLC Complaint Procedure, but shall not otherwise address the issue in an SLC meeting.

4958 Officials accused of violating the Code of Conduct maintain the rights protected by natural justice, including:

- (a) The right to be presumed innocent;
- (b) The right to prepare a full and fair defense;
- (c) The right to know their accuser's identity;
- (d) The right to know the full details of the accusation;
- (e) The right to a complete and proper investigation under the SLC Complaint Procedure; and
- (f) The right to a proportionate penalty.

5059 Violation of the Code of Conduct may incur one or more of the sanctions listed in the Union Bylaw and SLC Complaint Procedure:

- (a) A Warning;
- (b) A Reprimand;
- (c) Suspension or removal of remuneration or benefits;
- (d) Temporary or permanent revocation of powers or privileges; or
- (e) Impeachment.

#### **Review Board and Tribunal**

5160 As per the Constitution of the Students' Union, all punitive SLC decisions may be appealed to the Review Board and Tribunal.

5261 Officials shall not conceal or interfere with any party's right to appeal to the Review Board or Tribunal on any justiciable issue of the Students' Union.

5362 Officials shall refrain from making frivolous, vexatious, or vindictive applications to Students' Union judicial processes, as determined solely by the Review Board or Tribunal.

5463 Unless otherwise specified in Union Policy or Procedure, an official may not attempt to influence a Students' Union or university decision regarding the consequences of their own action or inaction, including but not limited to:

- (a) When that action or inaction is material to an investigation under the SLC Complaint Procedure; or
- (b) When that action or inaction is material to a case before the Review Board or Tribunal.

5564 An official shall cooperate fully with any Students' Union or university process which involves the consequences of their action or inaction.

5665 Any attempt to influence the process or decisions of the Review Board or Tribunal constitutes Professional Misconduct.

#### **Performance Indicators**

5766 In relation to Appendix A, *Performance Indicators for Elected Officials*, officials shall maintain a sufficient level of competence whenever possible, and shall strive to reach a level of excellence.

5867 Appropriate use of these performance indicators may include, but is not limited to:

- a) Informal self-evaluation by officials;
- b) Necessary conversations between officials when performance causes significant problems; and
- c) Official complaints of consistently insufficient performance.

5968 Inappropriate use of these performance indicators may include, but is not limited to:

- a) Personal criticism during SLC and committee meetings;
- b) Overly critical behavior in any SU-related context; and
- c) Official complaints over trivial matters.

## **Appendix A: Performance Indicators for Elected Officials**

### *Accountability*

- **Insufficient:** Does not follow through with promises or expectations, including meeting attendance. Makes dishonest representation of effort. Does not discuss goals and progress with Executives, or provide reports in a timely manner. Neglects core responsibilities. Makes uninformed decisions.
- **Competent:** Provides accurate and timely reports. Meets with Executives to discuss goals and progress. Attends required meetings whenever possible. Makes informed decisions. Connects with relevant stakeholders, such as faculty/departments clubs, in cooperation with other representatives of their faculty, if any.
- **Excellent:** Initiates consultation with relevant stakeholders. Stays current with issues which affect the entire faculty and the university. Proactively reaches out to identify issues and opportunities. Helps others hold themselves accountable.

### *Transparency*

- **Insufficient:** Willingly withholds information that is not confidential. Unable or unwilling to explain how and why decisions were made. Deliberately obscures meaning with acronyms and other jargon.
- **Competent:** Admits to gaps in knowledge and follows up once an answer is identified. Can clearly explain how and why decisions were made.
- **Excellent:** Proactively identifies gaps in knowledge. Provides clear, substantive, and appropriate information as promptly as possible. Fully understands how and why decisions were made, and focuses on the most pertinent factors.

### *Confidentiality*

- **Insufficient:** Discusses personal, strategic, or legal information with inappropriate parties or in careless ways. Spreads harmful rumors and gossip. Unfamiliar with Students' Union confidentiality materials.
- **Competent:** Discusses personal, strategic, or legal information only with appropriate parties and in careful ways. Does not spread harmful rumors or gossip. Familiar with Students' Union materials surrounding confidentiality.
- **Excellent:** Encourages others to respect confidentiality. Routes sensitive information to the appropriate parties promptly and carefully. Answers queries sensitively and completely within the bounds of confidentiality.

### *Professionalism*

- **Insufficient:** Does not dress appropriately for meetings and events. Uses strong or disrespectful language in professional environments. Behaves inappropriately online or in person. Allows intoxicants to interfere with workplace demeanor and performance of duty. Willingly disrupts or impedes meetings. Does not attend meetings promptly.
- **Competent:** Dresses appropriately for meetings (generally business casual). Uses language appropriate to the situation, whether online or in person. Refrains from disrespectful speech, gestures, or body language. Attends meetings on time and participates as necessary. Demonstrates effort in reporting.
- **Excellent:** Holds to the highest professional standards of dress, grooming, speech, and behavior, as appropriate to the situation. Contributes proactive, informed participation to meetings.

### *Communication*

- **Insufficient:** Does not participate in formal or informal discussion of professional issues. Does not reply to communications consistently or promptly. Does not provide coworkers or the public with clear channels of communication. Avoids or discourages others' attempts to engage them in substantive discussion.
- **Competent:** Communicates openly with SLC, especially other representatives from the same faculty if applicable. Coordinates with other officials and stakeholders to identify emerging issues. Prepares for and participates in discussions as appropriate. Replies to communications consistently and promptly. Provides clear channels of communication.
- **Excellent:** Coordinates with other officials and stakeholders to identify and address emerging issues. Seeks out relevant information. Develops and adjusts informed opinions through communication with peers and stakeholders. Takes proactive measures to be approachable, welcoming, and sincere.