

HALIFAX REGIONAL SCHOOL BOARD SECONDARY EMPLOYMENT POLICY

PURPOSE: To seek approval from the Board for revisions to the Secondary Employment Policy.

BUSINESS PLAN GOAL: N/A

BACKGROUND: The Secondary Employment Policy was originally approved in March 1997. In 2011, the Board requested that this policy be reviewed.

Consultations were held with stakeholders, including Principals, School Advisory Councils, representatives from NSTU, NSUPE, CUPE and NSGEU, Human Resource Services and Operations Services during April and May 2013. Consultation with the governing Board was held in September 2013. Feedback received from all consultations was considered and, where appropriate, incorporated into the version of the Policy and Procedures being recommended herein.

CONTENT:

Title

During consultation with stakeholders, it was noted that the Halifax Regional School Board is not the primary employer for many employees, as was referenced in the March, 1997 version of the policy. In order to remove this reference, reference to “secondary” employment also had to be removed in order to make the policy language consistent. However, the title remains the same due to staff familiarity.

Other Revisions

The proposed revisions do not change the intent of the policy. Generally, employees must disclose to the Director, Human Resource Services, any employment with an employer other than the Halifax Regional School Board that may be in conflict with their job with the HRSB. Employees do not have to disclose all other employment that they hold, only that which raises a conflict or a reasonable apprehension of conflict.

A form has been created for employees to use to disclose other employment that may be in conflict with their employment with HRSB.

The revisions confirm that teachers cannot tutor for students in their school because it is a conflict.

Finally, the revisions require an employee to disclose other employment where the employee is in receipt of Workers’ Compensation benefits, Injury on Duty, long term disability, sick

leave or some other type of leave, upon request by the Director, Human Resource Services.

COST: N/A

FUNDING: N/A

TIMELINE: Upon Board approval.

APPENDICES: Appendix A: Secondary Employment Policy and Procedures (March, 1997)
Appendix B: Secondary Employment Policy and Procedures (Revised)

RECOMMENDATIONS: It is recommended that the Board approve the revisions to the Secondary Employment Policy.

COMMUNICATIONS:

AUDIENCE	RESPONSIBLE	TIMELINE
HRSB community	Mike Christie	Upon Board approval
HRSB Website	Doug Hadley	Upon Board approval

From: For further information, please contact Mike Christie, ext. 2210, mchristie@hrsb.ca

To: Senior Staff – October 15, 2013
Governing Board- October 23, 2013



SECONDARY EMPLOYMENT

POLICY

- 1.0 The Halifax Regional School Board believes the first employment commitment of an employee is to the primary employer.

DEFINITION

Secondary Employment: Employment with an employer other than Halifax Regional School Board, including self-employment.

SECONDARY EMPLOYMENT

PROCEDURES

GUIDELINES

- 1.0 As a general rule, no employee may engage in secondary employment, including self-employment, or a business undertaking as an employee or shareholder where the outside employment:
 - 1.1 Creates documented evidence that the outside employment interferes with, impacts or affects the performance of duties in Halifax Regional School Board employment.
 - 1.2 Is in conflict or competition with the function in which the individual is employed by Halifax Regional School Board.
 - 1.3 Is performed in such a way as to appear to be an official act, or to represent Halifax Regional School Board opinion.
 - 1.4 involves performance of work which must be inspected or approved by another Halifax Regional School Board employee where a conflict of interest or preferential treatment may exist.
 - 1.5 Directly results in any matter contributing to a proposal or contract which may require Halifax Regional School Board consideration or approval whether of a financial nature or otherwise.
 - 1.6 In any way creates a conflict of interest with the operations and services provided by the Halifax Regional School Board except when full disclosure has been made and written approval is proved by the Board.
- 2.0 All Halifax Regional School Board employees who engage in secondary employment shall:
 - 2.1 Conduct themselves in such a manner that there will be no ethical or legal conflict of interest.
 - 2.2 Disclose to the Director, Human Resource Services any secondary employment, business, commercial or financial interest which may give rise to a reasonable apprehension of conflict or bias in connection with the exercise of their official duties or the operations and services provided by the Halifax

Regional School Board, and shall maintain such information current during their period of employment.

- 3.0 The Halifax Regional School Board may require that an employee involved in secondary employment make it known, in writing, to the secondary employer that service is provided on a personal basis only and is in no way authorized, endorsed or supported by Halifax Regional School Board. A copy of notification will be provided to the Halifax Regional School Board.
- 3.1 Inquiries and concerns regarding this policy are to be directed to the Director, Human Resource Services.
- 3.2 Employees are encouraged to seek the guidance of the Director, Human Resource Services to ascertain if they are in violation of this policy.



SECONDARY EMPLOYMENT POLICY

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- 1.0 PRINCIPLES**
- 2.0 POLICY FRAMEWORK**
- 3.0 AUTHORIZATION**
- 4.0 POLICY REVIEW**

1.0 PRINCIPLES

- 1.1 The Halifax Regional School Board believes that an employee should not be employed with another employer where that role is in conflict with the employee's employment commitment to the Halifax Regional School Board.
- 1.2 The Halifax Regional School Board believes that where there is a conflict or reasonable apprehension of conflict between an employee's employment with another employer and the employee's employment commitment to the Halifax Regional School Board, the employee must disclose that conflict.
- 1.3 Employment with another employer that may be in conflict includes any employment other than with the Halifax Regional School Board, including self-employment or a business undertaking as an employee or shareholder, or other business, commercial or financial interest.

2.0 POLICY FRAMEWORK

- 2.1 The Halifax Regional School Board is committed to ensuring that this policy is in accordance with the following act and policy:
 - 2.1.1 *Nova Scotia Education Act*
 - 2.1.2 *D.006 Progressive Discipline Policy*

3.0 AUTHORIZATION

- 3.1 The Superintendent is authorized to develop and implement procedures in

SECONDARY EMPLOYMENT POLICY

Approved:

support of this policy.

4.0 POLICY REVIEW

4.1 This policy will be reviewed every five years.

SECONDARY EMPLOYMENT

PROCEDURES

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1.0 GUIDELINES

APPENDIX

A. DISCLOSURE OF SECONDARY EMPLOYMENT FORM

1.0 GUIDELINES

- 1.1. As a general rule, no employee may engage in employment with an employer other than the Halifax Regional School Board where employment with another employer:
 - 1.1.1 Interferes with, impacts or affects the performance of the employee's duties, including regular attendance, with the Halifax Regional School Board;
 - 1.1.2 Is in conflict or competition with the function in which the individual is employed by Halifax Regional School Board;
 - 1.1.3 Is performed in such a way as to appear to be an official act, or to represent Halifax Regional School Board opinion;
 - 1.1.4 Directly results in any matter contributing to a proposal or contract that may require Halifax Regional School Board consideration or approval whether of a financial nature or otherwise;
 - 1.1.5 Involves the provision of services (such as tutoring) to a student(s) attending the same school at which the employee performs similar duties in their function as an employee of the Halifax Regional School Board;
 - 1.1.6 In any way enhances or increases the likelihood of increased revenue or profit through the other employer. This would, for example, prohibit the selling, promoting, or advertising of products or services in the workplace or to co-workers or students;
 - 1.1.7 In any way creates a conflict of interest with the operations and services provided by the Halifax Regional School Board except when

full disclosure has been made and written approval is provided by the Director, Human Resource Services.

- 1.2 All Halifax Regional School Board employees who engage in employment with another employer shall:
 - 1.2.1 Conduct themselves in such a manner that there will be no ethical, financial, or legal conflict of interest;
 - 1.2.2 Disclose to the Director, Human Resource Services any employment with another employer that may give rise to a conflict or a reasonable apprehension of conflict pursuant to 1.0 of these Procedures. A copy of the attached Disclosure of Employment Conflict Form (Appendix A) must be completed and submitted to the Director, Human Resource Services;
- 1.3 Upon request by the Director, Human Resource Services, an employee who is on sick leave, in receipt of Workers' Compensation benefits, Injury on Duty or long-term disability, or absent from the workplace for other reasons, shall submit a Disclosure of Employment Conflict Form (Appendix A). Failure to do so may result in disciplinary action.
- 1.4 The Halifax Regional School Board requires that an employee involved in other employment make it known, in writing, to the other employer that service is provided on a personal basis only and is in no way authorized, endorsed or supported by Halifax Regional School Board. A copy of notification will be provided to the Halifax Regional School Board.
- 1.5 Inquiries and concerns regarding this policy and procedures are to be directed to the Director, Human Resource Services.
- 1.6 Employees are encouraged to seek the guidance of the Director, Human Resource Services to ascertain if they are in violation of this policy.
- 1.7 Where it is determined that there is no avoidable conflict, the Halifax Regional School Board may require the employee to resign her/his employment with one of the employers.

APPENDIX A: Disclosure of Secondary Employment	
TO BE COMPLETED BY EMPLOYEE	
Name:	Employee No.:
Position at time of disclosure:	School/Department at time of disclosure:
Name of immediate supervisor:	If on leave, type and duration of leave:
DETAILS OF SECONDARY EMPLOYMENT (PROPOSED OR ONGOING):	
Name of other employer or business activity:	
Location of other employment:	
End date (if applicable):	
Hours/days worked per week:	
Description of duties/terms of activity (attach details if insufficient space below):	
Please explain any potential conflict of interest pursuant to section 1.0 of the Procedures: employment:	
I acknowledge that I have read the Halifax Regional School Board's Secondary Employment Policy & Procedures and that this request is not in breach of these documents. I hereby certify that the other employment I wish to undertake is not contrary to the guidelines contained in section 1.0 of the Secondary Employment Procedures:	
Signature:	Date:
Please return completed form to:	
HR Director, HR Services Halifax Regional School Board 33 Spectacle Lake Dr, B3B 1X7 Fax: 464-2316 Email : mchristie@hrsb.ns.ca	
TO BE COMPLETED BY DIRECTOR, HUMAN RESOURCE SERVICES	
I have reviewed the information provided in this Form and find that there is no secondary employment conflict.	
Signature :	Date:

cc: Personal/Personnel File