

 <p><b>POLICIES &amp; PROCEDURES MANUAL</b></p>	<b>SECTION :</b> CONFLICT OF INTEREST	<b>VERSION:</b> 0.16
	<b>POLICY:</b> Conflict of Interest Policy	<b>Date:</b> Dec 13, 2024
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## 33.0 Conflict of Interest Policy

There exists between Nishnawbe-Aski Legal Services Corporation (NALSC) and its Board members, all employees and management employees and contractors a fiduciary duty that carries with it a broad and unbending duty of loyalty and fidelity. The Board members and management employees have the responsibility of administering the affairs of NALSC honestly and prudently, and of exercising their best interest, care, skill and judgement for the sole benefit of NALSC. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with NALSC, or knowledge gained there for their personal benefit. The interests of NALSC must have first priority in all decisions and actions.

This policy strives to protect the integrity of NALSC's business interests and relationships to preserve and to protect its reputation and maintain public confidence from actual, perceived, or apparent conflicts of interest and has adopted this policy to outline procedures for avoiding and reporting various situations where a conflict of interest may arise.

This policy applies to the Board members, all employees, volunteers, contractors, all of whom must make an annual Code of Conflict Declaration and disclose as soon as possible any circumstances which could result in an actual, perceived or apparent conflict of interest in the prescribed form.

### 33.1 Interpretation

"Board member" means, a Board of Director of NALSC

"Confidential information" means, any information concerning the affairs of NALSC which has not been publicly disclosed.

"Corporation" means, Nishnawbe Aski Legal Services Corporation (NALSC)

"Employee" means, all employees including articling and summer students and volunteers working for NALSC in any capacity.

"Immediate family" means, a Board member's, employee's or contractor's spouse and any children, parents, siblings of the Board member, employee, or contractor. The immediate family extends to other relatives when they share the home of the Board member, employee or contractor, or their spouse.

"Spouse" means, in relation to an individual, a person to whom the individual is married or with whom the individual has lived as a common law partner for at least one (1) year in a marriage-like relationship.

### **33.2 Definition of Conflict of Interest**

An individual has a "conflict of interest" when the individual exercises a power or performs a duty or function and at the same time knows or ought reasonably to have known that in the exercise of the power or performance of the duty or function there is an opportunity to benefit the individual's private interests. In other words, there is an opportunity for personal gain either directly or indirectly.

An individual has an "apparent conflict of interest" if a reasonably well-informed person would perceive that the individual's ability to exercise a power or perform a duty or function of their office or position be affected by the individual's private interests.

An individual's "private interests" means the individual's personal and business interests and include the personal and business interests of:

- (a) the individual's spouse,
- (b) a person under the age of eighteen (18) years in respect of whom the individual or individual's spouse is a parent or acting in a parental capacity.
- (c) a person in respect of whom the individual or individual's spouse is acting as guardian,
- (d) a person, other than an employee, who is financially dependent upon the individual or the individual's spouse or on whom the individual is financially dependent, and
- (e) an entity in which the individual or the individual in combination with any other person described in this subsection has a controlling interest.

## 33.2 Guidelines

### Types of Conflicts of Interest

For the purposes of this policy, a financial benefit does not include:

- A salary or benefit provided under the employee's terms of employment,
- The reimbursement of expenses for travel or other work-related costs established in NALSC's policies, or
- The remuneration of the Board member for duties performed in accordance with the policies and procedures of NALSC.

The following scenarios may result in an actual, potential or apparent conflict, even if these actions take place outside regular business hours or during a legislated leave of absence:

- persons and firms supplying goods and services to NALSC
- persons and firms from whom NALSC leases property and equipment
- persons and firms with whom NALSC is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities or other property
- competing or affinity organizations
- donors and others supporting NALSC
- recipients of donations from NALSC
- agencies, organizations, and associations that affect the operations of NALSC
- family member, friends and other employees
- an employee conducting business with or providing services to family members, romantic partners, close friends, or other associates
- when an employee's job duties give them an opportunity to further the private interests of themselves, a family member, or a friend
- a current employee who is also employed by or otherwise does business with a competitor, partner, vendor, or client of NALSC
- an employee starting a company that provides similar services to the NALSC while they are still employed by NALSC
- an employee who owns or who is a partner in other businesses that provides goods and services that may result in a personal gain or where purchases and sales are performed for profit.

- an employee accepting a gift or other advantages from anyone who receives services from or intends to do business with the corporation that exceeds the value of \$(50) or that benefits the employee's private interests; and
- romantic or sexual relationships where a reporting relationship exists between a management or other supervisory employee and a staff member who reports directly or indirectly to that person.

Please note that this is not an exhaustive list of examples; to identify conflicts of interest, Board members, employees and contractors can refer to these scenarios but are asked to use their discretion and reason. If there is uncertainty whether a situation qualifies as a conflict of interest, please refer to Human Resources for assistance.

### Conditions of Employment

Employees should avoid:

- Any interest, investment, or association that creates a conflict of interest or that interferes with their ability to perform their duties with NALSC; and
- The creation of any personal, direct, or indirect interest or relationship with any company that competes with or provides products or services to NALSC.

### Additional Employment

NALSC generally considers outside employment where the secondary employment causes no adverse effects on the employee's performance of job duties with NALSC, the secondary work is performed outside the employee's regularly scheduled working hours with NALSC, confidentiality is protected, and there is no conflict of interest. Prior written approval must be obtained before an employee secures secondary employment.

However, if NALSC determines that a secondary job is affecting the employee's productivity or health and safety, the employee may be asked to relinquish their secondary employment as a condition of maintaining employment with NALSC.

For further clarity, any employee that wishes to work any amount of time at a second job outside of their regularly scheduled work hours at NALSC must discuss the matter with their supervisor or manager and obtain written consent before accepting the secondary job.

To ensure that there is no conflict of interest, NALSC may require the employee to complete an **Additional Employment Form** and disclose information about the proposed secondary employment to permit a review. Employees must secure advance written permission from NALSC to hold any outside employment from or business interests with any organization or company that conducts business with NALSC, its suppliers, or dealers.

### **33.3 Use of Personnel or Equipment for Non-business Purposes**

NALSC strictly prohibits the use of personnel (including volunteers), property, or equipment for non-NALSC business. Using these resources for unapproved purposes may result in harm to the business or its reputation, improper or illegal usage, or a conflict of interest. Employees must never use NALSC resources for any outside employment.

### **33.4 Conflict of Interest Disclosure Forms**

At the end of each fiscal year, the Human Resources will communicate, in writing, to Board members, employees, and contractors in any capacity, to obtain annual Conflict of Interest Disclosure forms.

Human Resources will file the Conflict-of-Interest Disclosure forms according to the relevant records management policy that protects the privacy of the persons making the disclosure.

### **33.5 Conflict of Interest in Procurement Process / Request for Proposals (RFP)**

For the purposes of this section, the term "Conflict of Interest" means.

- (a) In relation to the RFP process, the disclosure of confidential information to any third-party.
- (b) In relation to the RFP process, the Respondent has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to (i) having, or having access to, confidential information of the NALSC in the preparation of its proposal that is not available to other Respondents, (ii) communicating with any person with a view to influencing preferred treatment in the RFP process (including but not limited to lobbying of decision makers involved in the

RFP process, or (iii) engaging in conduct that compromises, or could be seen to compromise, the integrity of the RFP process; or

(c) In relation to the performance of its contractual obligations contemplated in the contract that is the subject of the procurement, the Respondent's other commitments, relationships or financial interests (i) could, or could be seen to exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgment, or (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

NALSC RFP Submission will include a section for the Respondent to declare.

If the box below is left blank, the Respondent will be deemed to declare that (a) there was no Conflict of Interest in preparing its proposal; and (b) there is no foreseeable Conflict of Interest in performing the contractual obligations contemplated in the RFP.

Otherwise, if the statement below applies, check the box.

- The Respondent declares that there is an actual, potential, or apparent Conflict of Interest relating to the preparation of this proposal, and/or the Respondent foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the RFP.

If the Respondent declares an actual, potential, or apparent Conflict of Interest by marking the box, the Respondent will set out below details of the actual, potential or apparent Conflict of Interest:

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The following individuals, as employees, advisers, or in any other capacity (a) participated in the preparation of our proposal: AND (b) were employees of the NALSC and/or have ceased that employment within twelve (12) months prior to the RFP Submission Deadline:

Name of Individual:
Job Classification:
Department

First Date of Employment with NALSC:
Name of Last Supervisor:
Brief Description of Individual's Job Functions:
Brief Description of Nature of Individual's Participation in the Preparation of the Proposal:

(Repeat above for each identified individual)

A section in the RFP will state: The Respondent agrees that, upon request, the Respondent shall provide the NALSC with additional information from each individual above in the form prescribed by NALSC.

A section in the RFP will state: Disclosure of Information: The Respondent hereby agrees that any information provided in this proposal, even if it is identified as being supplied in confidence, may be disclosed where required by law or if required by order of a court or tribunal. The Respondent hereby consents to the disclosure, on a confidential basis, of this proposal by NALSC's advisers retained for the purpose of evaluating or participating in the evaluation of the proposal.

### 33.6 Conflict of Interest in Hiring Practices

NALSC will consider and accept applications from a member of an employee's immediate family for employment if the candidate has all the requisite qualifications. The corporation will not consider an immediate family member of an employee if doing so might create a real or imagined conflict of interest. For example, an employee's immediate family member will not be considered for the position of the employee's immediate supervisor or direct report.

For the purposes of this policy, immediate family members include an employee's wife, husband, mother, father, brother, sister, son, daughter, or in-law.

Signed Conflict of Interest Disclosure forms will be filed with the Human Resources administrative personnel.

Human Resources will retain all Conflict-of-Interest Disclosure forms in the respective Board member, employee personnel or contractor file.

The Board member, employee or contractor will be notified by Human Resources if the required forms are not received within **10 days** of being notified by the Human Resources administrative personnel.



## 33.7 Reporting a Conflict of Interest

### Employees

Employees who believe they are involved in or have witnessed a conflict of interest must immediately notify Human Resources. Employees must also report any instances where they have reason to believe that a conflict of interest is possible. Failure to report known or suspected conflicts of interest may result in disciplinary action up to and including termination.

Employees should never make fraudulent or malicious complaints against other employees. Any complaint made in bad faith, if proved as being such through

convincing evidence will result in disciplinary action or termination for the individual lodging a complaint in bad faith.

### Supervisors and Managers

Supervisors and managers must take all necessary precautions to prevent conflicts of interest in their areas of responsibility. Any supervisor or manager who is subject to, witnesses, or is given written or verbal complaints about a conflict of interest must address the issue and provide Human Resources with information regarding the same. In addition, supervisors and managers must report the conflict of interest to Human Resources if they cannot resolve the issue themselves.

### Investigation

Human Resources will investigate any alleged, perceived, or known claims of conflicts of interest. NALSC aims to resolve claims of conflicts of interest as quickly as possible and will select unbiased individuals to investigate. Where appropriate, the investigation will be outsourced to a third-party investigator. Information regarding the investigation will be provided to all affected Board members, employees and contractors at the start of the investigation.

In all cases, Human Resources will retain the findings report for four years or as long as any administrative or legal action arising out of the complaint is pending.

### Assurance Against Retaliation



This policy encourages Board members, employees and contractors to report conflicts of interest at NALSC. Retaliation against Board members, employees or contractors who report or provide information about a conflict of interest is strictly prohibited and will result in appropriate disciplinary action. Acts of retaliation include but are not limited to interference, coercion, threats, and restraint.

## Acknowledgement and Agreement

**Please Circle your position.**

I, (Board member, employee, contractor) Sheri Kakegamic,  
acknowledge that I have read and understand the Conflict-of-Interest Policy of  
Nishnawbe-Aski Legal Services Corporation. I agree to adhere to this policy and  
will ensure that all Board members, employees, and contractors in any capacity  
working under my direction adhere to this policy. I understand that if I violate the  
rules set forth by this policy, I may face disciplinary action up to and including  
termination of employment.

Name: Sheri Kakegamic

Signature: Sheri Kakegamic

Date: 09.16.2024

Witness: WW



## Schedule A - Conflict of interest ("COI") attestation

Name of individual: Sheri Kakegamic

Department: Services referral worker

Position:  Staff  Chair  Contractor

I have been provided a copy of the "NALSC Conflict of Interest Policy" and have read it.  Yes  No

I hereby declare, that: (select one)

- I am not aware of any actual, potential, or perceived COI with respect to my current employment or position with Nishnawbe-Aski Legal Services Corporation (NALSC).
- Described below are the actual, potential, or perceived COI(s) arising as a result of my current employment or position with Nishnawbe-Aski Legal Services Corporation (NALSC)

Please provide relevant details about each COI, including the name of the third-party and a description of the nature of the interest where applicable. Should you require more space, please attach additional sheets to this declaration, as required.

Date	Third-party
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Nature and details of the COI

Evangelina Meekis is my sister. She works on the second floor and I'm on the first floor.

**Examples of Conflict of Interest (COIs) may include, but are not limited to:**

- persons and firms supplying goods and services to NALSC.
- persons and firms from whom NALSC leases property and equipment.
- persons and firms with whom NALSC is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property.
- competing or affinity organizations.
- donors and others supporting NALSC.
- recipients of donations from NALSC.
- agencies, organizations, and associations that affect the operations of NALSC.
- family members, friends, and other employees.
- an employee conducting business with or providing services to family members, romantic partners, close friends, or other associates.
- when an employee's job duties give them an opportunity to further the private interests of themselves, a family member, or a friend.
- a current employee who is also employed by or otherwise does business with a competitor, partner, vendor, or client of NALSC.
- an employee starting a company that provides similar services to the NALSC while they are still employed by NALSC.
- an employee who has ownership or who is a partner in another business that provides goods and services for profit or personal gain or where purchases and sales are performed for profit.
- an employee accepting a gift or other advantages from anyone who receives services from or intends to do business with the corporation that exceeds the value of \$(50) or that benefits the employee's private interests; and
- romantic or sexual relationships where a reporting relationship exists between a management or other supervisory employee and a staff member who reports directly or indirectly to that person.



## Declaration of Conflict of Interest Form

Date:

Sept 16 24

Name of employee declaring  
a conflict of interest:

Sheri Kakegamic

Name of supervisor of  
employee:

**Is the conflict of interest actual or perceived?**

(Circle one. This form must be completed regardless of the  
response)

Actual / Perceived

**Outline the details of the  
conflict of interest:**

**List at least 3 mitigating  
actions to reduce the risk  
to the organization of a  
conflict of interest:**

**Employee Signature:**

Sheri Kakegamic

Supervisor signature:

HR Manager signature:

**Annual review date:**

Annual review signatures: