



**MRFA**  
MOUNT ROYAL  
FACULTY ASSOCIATION

## Conflict of Interest & Apprehension of Bias

**Category:** Executive Board Representation

**Date last Revised:** Fall 2026

**Scheduled for Review:** Spring 2029

### I. Overview

In the regular course of Association business, and in particular in the consideration of grievances, MRFA Officers and Committee members may deem themselves to be, or be perceived to be by others, in a biased or conflict of interest position. This policy shall govern the management of conflict of interest and apprehension of bias.

Members of the Executive Board, the Grievance Committee, Association staff, and other Association Committees shall avoid actual conflicts of interest and bias, and when possible, avoid potential and perceived conflicts of interest and bias. Members have a duty to disclose potential, actual, or perceived conflicts and bias. Failure by individual representatives to disclose conflicts could directly expose the Association to legal liability and duty of fair representation complaints at the labour board.

When a conflict of interest or bias is found to actually exist, the Committee or Board member shall recuse themselves from any deliberation or votes of the Committee or from representing members in related Association processes.

To reduce potential for conflict of interest, whenever possible, a grievance officer should not represent a grievor from their home department or a department to which they are cross-appointed.

### II. Definitions

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conflict of Interest        | A Conflict of Interest arises when a person is unable to make a fair assessment, or at least an assessment that will be perceived as fair, on an issue if they stand to gain or lose personally from the decision. The concept of personal gain or loss includes the gain or loss of a spouse or other person so close to the decision maker that the decision maker indirectly benefits or loses, such as immediate family members, co-habitants, close business partners, or dependents . |
| Bias / Apprehension of Bias | Bias or the Apprehension of Bias concerns whether an individual can make a fair decision based on the facts before them or whether their decision will be biased toward a particular result due to their relationships or their entrenchment of position on an issue related to the Collective Agreement.                                                                                                                                                                                   |
| A Potential...              | A POTENTIAL Conflict of Interest or Bias is a Conflict of Interest or Bias that is having or showing the capacity to become or develop into something in the future.                                                                                                                                                                                                                                                                                                                        |

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|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A Real...      | A REAL Conflict of Interest or Bias is a Conflict of Interest or Bias that is objectively verifiable circumstances that impair, or threaten to impair, an individual's ability to act impartially; not imagined or supposed.    |
| A Perceived... | A PERCEIVED Conflict of Interest or Bias is a Conflict of Interest or Bias that is interpreted as existing by someone (typically the reporting party), but is not necessarily a Real or Potential conflict of interest or bias. |

### III. Principles in Practice

- Individual Board, staff, and committee members are responsible for consistent assessment of their own experiences, conflicts of interest, and biases.
- Individual board, staff, and committee members who will represent the Member who is in jeopardy must ask themselves if they feel that they cannot act fairly and in the best interests of the Association. The best interests of the Association include providing fair representation to the Member in jeopardy.
- No part of the duty of fair representation requires the people acting for the Association (whether staff, Officers, or Members) share the same views with the Member, their position or their conduct. Specifically, holding views or conducting research in areas that diverge or conflict with the Member does not necessarily mean that there is an *a priori* conflict of interest. Similarly, being a member of a racialized or other equity-seeking group does not constitute a conflict of interest or bias.

### IV. Duty of Fair Representation

The Association's duty to provide fair representation means that it must represent the Member fairly, without bias, without discrimination, and in a manner that is not arbitrary.

To meet this obligation the Association has a duty to

- Hear and document the Member's concern;
- Conduct a fair investigation of the Member's concerns to ascertain whether a violation of the Collective Agreement has occurred; and
- Communicate clearly with the Member in regard to the Association's duty of fair representation and with respect to any decision regarding the Association's decisions about the case and Member representation.

In the event that the Association determines that no breach of the Collective Agreement has occurred, Members must have an opportunity to respond to the evidence that the union is considering that does not support the Member's position.

### V. Process

If you feel that a conflict of interest and/or bias is present, for either yourself or a colleague, you have an obligation to advise the Association of your perception in a timely manner. This notice can be provided via this [notification form](#) or by following the steps below.

- A member of the Executive Board, the Grievance Committee, other Committee, and/or Association staff shall identify any conflicts of interest and bias (real or

perceived) to the President, Labour Relations Officer (LRO), or Senior Administrative and Faculty Relations Officer (SAFRO) in writing, where possible in advance of or during the meeting.

- ii. If an individual is unsure whether they or their colleague are in conflict of interest or biased or whether a reasonable apprehension of bias exists, they may refer to the appended [Conflict of Interest and Apprehended Bias Self-Assessment Checklist](#), and they will disclose the grounds for their apprehension of bias to the Executive Board or applicable committee for their consideration.

The Board/committee will make a determination based on the individual's disclosure about whether a conflict of interest, bias or that a reasonable apprehension of bias exists and suggest the individual recuse themselves if so. If necessary, the Board/committee may vote to recuse the Member from discussion and decision on the issue in question. The Member shall be recused for this discussion and vote.

## **VI. Related Policies**

Grievance Policy

Confidentiality Policy

## **Conflict of Interest and Apprehended Bias Self-Assessment Checklist (Policy Appendix)**

Do I stand to gain or lose economically/professionally/academically/personally as a result of the outcome of this decision? YES / NO

Does anyone with whom I have a close relationship stand to gain or lose economically/professionally/academically/personally as a result of the outcome of this decision? YES / NO

*If the answer is yes to either of the above questions, a Board member should recuse themselves on the basis of a real or perceived conflict of interest. If you have answered no, continue to next questions.*

Do my personal/professional/academic relationships leave me unable to represent the member in jeopardy fairly and in a manner that is not arbitrary?<sup>1</sup> YES / NO

Do my public statements on an issue related to the Collective Agreement or about a person indicate an entrenchment of position that leaves me unable to represent the member in jeopardy fairly and in a manner that is not arbitrary? YES / NO

*If the answer is yes to either of the above questions, a Board member should recuse themselves on the basis of bias, real or apprehended conflict of interest.*

*If unsure, outline the case to the Executive Board in writing and submit to the Senior Administrative and Faculty Relations Officer who shall bring it to the Executive Board to consider in closed session.*

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<sup>1</sup> MRFA Legal Opinion Received on Jan. 7, 2021 indicates that being of a different race, holding opposing views on social issues, or engaging in related scholarly work and advocacy does not constitute a conflict of interest or bias. Members are not strictly entitled to representation by peers who share their personal views. Moreover, liking, sharing, or commenting on social media reflects personal beliefs but does not inherently create a conflict of interest or an actual bias. However, representatives should clearly separate personal opinions from Association positions. Bias or a conflict of interest only exists legally if an individual's relationships or entrenched positions prevent them from making a fair, fact-based decision. The primary exception is if a representative self-declares they cannot act fairly in the Association's best interests.