



Title:	Post-Employment Restrictions for Senior Executives Policy
Policy Area:	Human Resources
Policy Number:	E.2.18
See also: (related policies)	Code of Ethical Practices Policy

Effective Date of Policy:	January 27, 2021
Approval Date:	January 26, 2021
Applies to:	Senior Executives at Okanagan College
Approving Body:	Board of Governors
Supersedes or New:	This policy language is being moved into a separate policy. It was originally approved on November 5, 2014 as part of an amendment to the Code of Ethical Practices Policy.
Authority:	<i>College and Institute Act</i>

The following are responsible for the administration of this policy

Primary Office:	Contact:
President's Office	Manager, Executive Office

1. Definitions

1.1. For the purpose of the post-employment restrictions set out below:

- (a) “**Senior Executive**” means a person employed by Okanagan College as President, Vice President, or Associate Vice President; and
- (b) “**Outside Entity**” means a person or entity other than a public sector employer as defined in Section 1 of the Public Sector Employers Act.

2. After Leaving Okanagan College

- 2.1. The following is a condition of a Senior Executive's employment with Okanagan College. If the Senior Executive had a substantial involvement in dealings with an Outside Entity on behalf of Okanagan College at any time during the year immediately preceding the end of the Senior Executive's employment with Okanagan College then, for one year after the end of the Senior Executive's employment, the Senior Executive must not:
- (a) accept an offer of employment with, an appointment to the board of directors of, or a contract to provide services to, that Outside Entity, or
 - (b) provide consulting or other services to that Outside Entity, in connection with its dealings with Okanagan College.

3. Reduction of One-Year Limitation

- 3.1. The President, or the Okanagan College Board of Governors if the Senior Executive is the President, may reduce a Senior Executive's one-year restriction, upon application, after considering the following:
- (a) the circumstances under which the Senior Executive's employment ended;
 - (b) the Senior Executive's general employment prospects;
 - (c) the significance to Okanagan College of information the Senior Executive possessed by virtue of the Senior Executive's position with Okanagan College;
 - (d) the desirability of a rapid transfer of the Senior Executive's skills to an employer other than Okanagan College;
 - (e) the degree to which the new employer might gain unfair commercial advantage by hiring the Senior Executive;
 - (f) the authority and influence the Senior Executive possessed while employed by Okanagan College;
 - (g) the disposition of other cases.
- 3.2. The decision of the President, or the Board of Governors if the Senior Executive is the President, on the application to reduce the Senior Executive's one-year restriction shall be issued in writing within ten (10) working days of receipt of the application.
- 3.3. If the President reduces the one-year restriction for a Vice President, the President shall report the change to the Board of Governors at the next regularly scheduled meeting.