



## Scenario: Facebook Friend

### Group Size: 4-15

***This scenario may contain explicit language and references to harmful situations which may be emotionally activating for some people. If you need support, services are available through the [CAF Member Assistance Program \(CFMAP\)](#) and the [Employee Assistance Program \(EAP\)](#).***

Sitting at home at his personal computer, Lieutenant-Colonel (LCol) Kurt Janz has just logged into his Facebook account and comes across a comment posted by Major (Maj) Stewart Stippel, one of his flight commanders, on a mutual friend's photo.

Curious, he clicks on his profile and sees a few photos of Maj Stippel with his wife and kids. LCol Janz recalls seeing some of these same photos in the major's office.

"Nice," he thinks to himself.

Before he clicks off the major's page, however, something catches his eye. It's a comment the major made to someone who seems to be a former military colleague. It reads, "And Doug – thanks for the coffee today. I'm serious about wanting you to join me on the chopper sub-contracting project. My consulting company got the \$200K contract with the Department of National Defence (DND) last week and we need your engineering expertise!"

LCol Janz then reads Doug's reply: "Yeah! Sure, would be fun to work with my 'phase training buddy' again! See you and the guys at our old stompin' grounds next week."

Stunned, LCol Janz sits back in his chair. What began as an interesting common link to a fellow officer has turned into confusion about what Maj Stippel is doing. He wonders how this came about and who, if anyone, Maj Stippel has consulted about this.

### Categories

Principles:	Serve Canada before Self, Obey and Respect Lawful Authority
Values:	Integrity, Loyalty, Courage, Stewardship
Cultural Themes:	Service, Identity
Misconduct Types:	Conflict of Interest
GBA Plus Themes:	Not Specific
Audience:	Defence Team

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# Facilitator's Guide

## Learning Objectives:

- Understand the Conflict of Interest (COI) related definitions for outside employment, outside activity, official dealings, real or apparent COI.
- Gain awareness of COI policies regarding outside activities, in particular, outside employment.
- Be able to identify when an outside employment opportunity presents a COI situation.
- Identify when an employment opportunity also creates an unfair advantage situation.
- Know where to go to get information on participating in outside activities and the process related to such.

## Facilitation Questions:

1. What is the problem in this scenario? What are the considerations?
  - Remind the group that Canadian Armed Forces (CAF) members need permission for all outside activities identified in policy (DAOD 7021-1). This includes outside employment.
  - Some factors to consider before authorizing:
    - Was the person involved in the contracting process?
    - Did the person have recent official dealings with the company?
    - Would a “yes” answer be a cause for concern in either of these questions?
  - Ask the group whether someone can work for the DND and a defence contractor at the same time?

Ask the group to generate a list of conditions that would need to be in place to allow such an employment situation? Then compare to the analyst's notes at the end.
2. Does LCol Janz need to act, based on reading another person's post (“friend of a friend” on Facebook) on a social media platform? Why or why not?
  - Discuss whether people should have an expectation of privacy when posting on the internet.
  - Privacy considerations aside, what aspects of the employment opportunity are most concerning for this to be a COI?
3. What should LCol Janz do about this situation?
  - Do nothing: LCol Janz may want to consider how his discovery could be seen as snooping and that it might be more detrimental to the unit than the issue of COI. Is it ever legitimate to allow a fault to pass?
  - Discuss the situation with Maj Stipple. Open dialogue would likely be very effective. At the very least, a conversation provides the LCol and the Maj the opportunity to discuss the obligations which are placed on all DND and CAF personnel to disclose any outside activities to the DND/CAF COI Section.

### **COI Analyst's notes to the facilitator:**

Policy allows people to engage in a myriad of outside activities that may have COI considerations. Political activities could place a person in conflict with their duty of loyalty as contained in the DND/CAF Code of values and Ethics. This reality also applies to outside employment opportunities but for additional reasons. Whereas working for a retail outlet might not ever give rise to a COI, working with a defiance contractor could. Even if there is no real COI, the specter that many in the public or media may perceive the situation as a conflict of interest is sufficient that a review must take place and this is why policy dictates that before engaging in any outside activity that could lead to any type of conflict of interest, real, perceived or potential, it is required a formal review takes place using the COI office. The process and forms for such reviews are available on the COI website. The goal of the review is to assess whether any concerns of COI are reasonable, and if they are reasonable when if anything can be done to mitigate this such that the activity could take place.

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In the situation here, if the Maj has had prior recent official dealings (1 year prior or more recent) with the company that was awarded the contract that would be a disqualifier for working with that company. Similarly, if the individual was involved in any way with the contracting process for the contract in question, even if it was just meetings where it was discussed, would also be a disqualifier as that could give rise to people, and other contractors, thinking that the awarded company had an unfair advantage. The idea is that the awarded company prospective employee was on the inside and has insider knowledge that could have been useful to that company.

If no specific issue requires disqualification from any outside employment, people still must conduct themselves carefully. They can't use DND/CAF resources to aid in their work or aid the business in any way, this includes ever using DND networks or communication tools. The outside work can only occur outside their normal working hours and their primary roles as a DND employee/CAF member must take precedence whenever there is a conflict for that person's time. Insider information (any information not publicly available) gained while working within DND/CAF cannot ever be shared with the outside employer.

While CAF member must have a CO's authorization for any outside activity, this is not always the case for DND employees (see [DAOD 7021-1](#)). In particular, while not actually required by policy, it is recommended that DND employees voluntarily disclose their participation in any outside employment to their immediate supervisor. Such transparency aids in building trust and understanding and can help the supervisor help the employee when they become are of changing circumstances that may turn a normal outside employment situation to one that may give rise to a conflict of interest.

An apparent type of COI can have the same severe negative effects on the reputation of both the individual and the institution as a real COI situation. The privacy concern here is not sufficient to dismiss a COI situation. The LCol must react to ensure the institution's integrity is protected. The discussion with the Maj is the best course of action.

**Good resources:**

[Conflict of interest - Canada.ca](#)

[Frequently Asked Questions – Conflict of interest - Canada.ca](#)