



ADMINISTRATION 26 – Public Interest Disclosure (Whistleblower Protection) Act

Date: October 22, 2014

Date:

Responsible Administrator: Assoc. Supt., HR

1.0 RATIONALE

Public Interest Disclosure (Whistleblower Protection) Act, PIDA, facilitates the disclosure and investigation of unlawful, dangerous, wasteful and irresponsible actions in the public service by protecting individuals who report such actions from reprisal.

2.0 PROCESS

1.0 Definitions:

- (a) ‘employee’ means a certificated or non-certificated individual employed by the Employer who has suffered a reprisal involving termination of employment or termination of any professional privileges generally provided to all other employees;
- (b) ‘employer’ means Sturgeon School Division # 24, and for these purposes, the Superintendent and designates;
- (c) ‘Commissioner’ means the individual appointed by the Government of Alberta to provide overall administration of this Regulation;
- (d) ‘officer’ means anyone officially appointed by the Commissioner to administer, report and make recommendations on reported violations of this Regulation;
- (e) ‘wrongdoing’ means (1) a contravention of a federal or provincial act or regulation, or (2) an act or omission that creates a substantial danger to the life, health or safety of individuals, or (3) a danger to the environment, or (4) gross mismanagement of public funds or assets, or (5) knowingly counselling another person to commit any of the above;
- (f) ‘reprisal’ means dismissal, layoff, suspension, demotion, transfer, job elimination, reduction in wages, change in hours or reprimand, or a threat to do any of the above reprisals.

2.0 The Employer shall provide for timely and judicious response to all complaints alleging violation of this Regulation conducted:

- 2.1 by the Associate Superintendent, Human Resources; except
 - 2.1.1 by the Superintendent, where it is alleged that the Associate Superintendent, Human Resources has committed the dangerous, illegal or irresponsible act; and except
 - 2.1.2 by the Commissioner, where it is alleged that the Superintendent has committed the dangerous, illegal or irresponsible act.

References: Board Policy: D//11 - Public Interest Disclosure (Whistleblower Protection) Act (PIDA)
Disclosure of Wrongdoing Form



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- 2.2 acknowledging receipt of such a complaint in writing within five (5) business days from the date on which the complaint is marked as received;
 - 2.3 by making a decision and notifying the complainant as to whether the Employer has determined that a wrongdoing has occurred within ten (10) business days from the date in 2.4, above;
 - 2.4 if it is determined that a wrongdoing has occurred, by conducting an investigation as contemplated in the Regulation, completing and reporting on it within one hundred and ten (110) business days from the date in 2.5, above;
 - 2.5 reporting each step of this procedure in writing to the office of the Commissioner within five (5) business days of each date cited above.
- 3.0 Should a complainant, teacher or employee, be unsatisfied with the results of the Employer's findings, the complainant may appeal this case to the office of the Commissioner, in accordance with AB Regulation 71/2013.
 - 4.0 All complainants must use form Disclosure of Wrongdoing Form, AP/ADM/25, attached, for filing complaints.
 - 5.0 Extensions of the above time limits may be made by mutual agreement of the complainant and the Employer.
 - 6.0 Discovery of any intentional falsification or misleading information submitted by the complainant shall result in the complaint being immediately dismissed without recourse to appeal; it may result in discipline under the Employer's progressive discipline policy.
 - 7.0 All documentation under this policy and administrative practice shall be treated with the strictest confidentiality. Only that information that must be investigated to verify or disprove the complaint shall be shared with others in the confidential investigation, and with full observance of the FOIPP Act.
 - 8.0 The Employer shall annually report on the administration of this Act and its regulations to the Commissioner.

References: Board Policy: D/I/11 - Public Interest Disclosure (Whistleblower Protection) Act (PIDA)
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