



Office of the Citizens' Representative

Talk to Us!

If you believe you have witnessed wrongdoing in your workplace:

- ✓ Review the *Public Interest Disclosure and Whistleblower Protection Act*.
- ✓ Gather the facts or documentation to support your disclosure.
- ✓ Consider whether the activity is in breach of the law.
- ✓ Consider if there is a substantial threat to life, safety or the environment.
- ✓ Ask whether another person would think the facts point to wrongdoing.
- ✓ Consider whether colleagues would disclose with you.
- ✓ Contact the Office of the Citizens' Representative for a confidential assessment and possible investigation.

Office of the Citizens' Representative

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Public Interest Disclosure and Whistleblower Protection Act



**Have you witnessed
wrongdoing in your
workplace?**

Contact us in confidence.

2019



Seeking fairness...
finding solutions

Know Your Rights When Reporting Wrongdoing: Consult the *Public Interest Disclosure and Whistleblower Protection Act*.

On July 1, 2014, the Government of Newfoundland and Labrador enacted the *Public Interest Disclosure and Whistleblower Protection Act*. Commonly known as “whistle-blowing”, a public interest disclosure involves the passing of reliable information to an investigator by a person with reasonable suspicion, or intimate knowledge of wrongdoing in a workplace.

Public interest disclosures are a valuable check against gross mismanagement, illegal activity and the existence of life safety and public health issues. They help preserve trust in our public institutions and aid in keeping governments accountable, honest and efficient. Public servants have a moral obligation to report wrongdoing in the public interest and are now protected from specific employment reprisals for doing so.

The rights of employees, the definition of wrongdoing, the role and powers of the Citizens’ Representative and the procedural safeguards against retaliation are outlined in the *Public Interest Disclosure and Whistleblower Protection Act*.

About Us

Since 2001, the Office of the Citizens’ Representative has provided a province-wide ombudsman service for Newfoundland and Labrador, pursuant to the *Citizens’ Representative Act*.

An omubudsman is a neutral official appointed by a legislature to investigate complaints about government programs, services and personnel. Our services are free, confidential and independent of the political process.

The Citizens’ Representative is the named investigator of public interest disclosures under the *Public Interest Disclosure and Whistleblower Protection Act*. In 2007, the Office was named investigator of public interest disclosures for the House of Assembly under the *House of Assembly Accountability, Integrity and Administration Act*.

The Citizens’ Representative is able to provide confidential advice to potential disclosers, and privately investigate disclosures made in good faith that warrant action. The Citizens’ Representative will keep your identity confidential to the fullest extent possible and will report the outcome of any investigation that takes place.

For more information on the Office of the Citizens’ Representative visit our web site at www.citizensrep.nl.ca.

Wrongdoing

Wrongdoing is defined in the *Act* as:

- An act or omission constituting an offence under an Act of the Legislature or the Parliament of Canada, or a regulation made under an Act.

• An act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of the duties or functions of an employee.

• Gross mismanagement, including of public funds or a public asset; and,

• Knowingly directing or counseling a person to commit a wrongdoing outlined above.

Reprisals

Reprisals are defined in the *Act* as:

“Reprisal” means one or more of the following measures taken against an employee because the employee has, in good faith, sought advice about making a disclosure, made a disclosure, or cooperated in an investigation under this *Act*.

- a disciplinary measure
- a demotion
- termination of employment
- a measure that adversely affects his or her employment or working conditions, or
- a threat to take any of the measures outlined above.

Employees who believe they have suffered reprisals must file a complaint with the Labour Relations Board.