



Yukon
Public Interest
Disclosure
Commissioner

REPRISAL COMPLAINT FORM

Please use this form to make a reprisal complaint under the *Public Interest Disclosure of Wrongdoing Act* (PIDWA) to the Office of the Public Interest Disclosure Commissioner (PIDC). There is a separate Disclosure of Wrongdoing Form to disclose a wrongdoing found at <http://yukonpidc.ca/forms>.

More information about the PIDWA and making a reprisal complaint can be found on the Office of the PIDC's website at yukonpidc.ca. If you have any questions about completing this form please call 867- 667- 8468 or our toll free number 1-800-661-0408 ext. 8468.

GENERAL INFORMATION ABOUT MAKING A REPRISAL COMPLAINT

The PIDWA enables [employees](#) of Yukon [public entities](#) to make a complaint to the PIDC if they have faced, or are facing, reprisal by an [employee](#) of a [public entity](#). The PIDC has authority to investigate a [reprisal](#) complaint subject to certain limitations. The PIDC does not have authority to investigate a [reprisal](#) complaint made by persons who are not [employees](#) of [public entities](#) or against bodies other than [public entities](#). The meaning of the terms underlined in this form can be found on page two.

PRIOR TO MAKING A REPRISAL COMPLAINT

Is your reprisal covered by the PIDWA?

The PIDWA applies only to a [reprisal](#) taken against an [employee](#) because he or she or they have ***in good faith***, done the following. Identify the circumstance(s) below that apply to you:

sought advice about making a [disclosure](#) of [wrongdoing](#)

made a [disclosure](#) of [wrongdoing](#)

cooperated in an investigation under PIDWA

declined to participate in a wrongdoing

If none of the above apply, the PIDWA does not apply to your complaint. Consider an alternative resolution mechanism or the Ombudsman.

Can the PIDC investigate my reprisal complaint?

The PIDC cannot investigate a [reprisal](#) complaint if you have, in respect of the [reprisal](#), commenced a procedure under a Yukon or federal law, a collective agreement, an employment agreement, or a policy of your [public entity](#).

Have you commenced any of these procedures? Yes No

If yes, the PIDC cannot investigate your [reprisal](#) complaint due to limitations set out in the PIDWA. If no, proceed to the next question.

Of the measures identified below, which measure best describes the [reprisal](#) taken against you?
Choose all that apply.

disciplinary measure

demotion

termination of employment

any measure that adversely affects your employment or working conditions

the threat to take any of the above measures

If none of the above apply, the PIDC cannot investigate your [reprisal](#) complaint. Consider an alternative resolution mechanism, or the Ombudsman. If you have selected one or more measures, proceed to the "Reprisal Complaint" section of the form.

GLOSSARY OF TERMS

"disclosure" means a disclosure of wrongdoing made *in good faith* by an employee in accordance with the PIDWA.

"employee" means an individual employed by a public entity, or an individual who has suffered a reprisal and has been terminated by a public entity, and includes a contract employee.

"public entities" are agencies that the PIDWA applies to, set out in a schedule to the PIDWA. The public entities that the PIDWA applies to are:

- a department, directorate, secretariat or other similar agency of the Government of Yukon;
- the Legislative Assembly Office;
- the Office of the Chief Electoral Officer;
- the Office of the Child and Youth Advocate;
- Workers' Compensation Health and Safety Board;
- Yukon College;
- Yukon Development Corporation;
- Yukon Energy Corporation;
- Yukon Hospital Corporation;
- Yukon Housing Corporation;
- Yukon Liquor Corporation.

"reprisal" is defined in the PIDWA as a disciplinary measure, a demotion, a termination of employment, a measure that adversely affects the employee's employment or working conditions, or a threat to take any of these measures taken against an employee who *in good faith* made a disclosure, sought advice about making a disclosure, cooperated in an investigation under the PIDWA or declined to participate in a wrongdoing.

"wrongdoing" is considered any of the following:

- a) a contravention of an Act, a regulation made under an Act, an Act of Parliament, or a regulation made under an Act of Parliament;
- b) an act or omission that creates a substantial and specific danger
 - i) to the life, health or safety of individuals other than a danger that is inherent in the performance of the duties or functions of an employee, or
 - ii) to the environment;
- c) gross mismanagement of public funds or a public asset; or
- d) knowingly directing or counselling an individual to commit a wrongdoing described in paragraph (a) to (c).

REPRISAL COMPLAINT

Please provide your contact information for the purpose of investigating your reprisal complaint.

Name

Mailing Address

City

Province/Territory

Postal Code

Telephone

Work

Home

Cell

Alternate Telephone (if applicable)

Work

Home

Cell

Email

How do you prefer to receive communication in regards to the disclosure?

Phone

Mail

Email; we will only communicate by email using encryption software that requires you to have this software on your computer to open encrypted documents

Special instructions:

Please provide the following information about the reprisal:

the [public entity](#) you are or were [employed](#) by:

description and date of the [wrongdoing](#) related to the [reprisal](#):

description of the [employee's](#) activity to which the [reprisal](#) relates:

date on which the [reprisal](#) occurred, if known:

date on which you knew of the [reprisal](#):

description of the [reprisal](#) that has occurred or is occurring:

name, title, and [public entity](#) of each [employee](#) involved in the [reprisal](#):

any other information you think is relevant:

Complaint to be made within 90 days

The PIDC is only authorized to investigate reprisal complaints made not later than 90 days after the date on which an employee knew or ought to have known that the reprisal was taken unless the PIDC considers it appropriate in the circumstances of the employee to allow the complaint to be made after 90 days.

If your reprisal complaint is being made 90 days after the date of reprisal indicated above, please provide your reason below for making the complaint after 90 days.

Note: Attach additional pages if necessary

Declaration

I believe that all the information provided is true to the best of my knowledge.

Signature

Current Date

Knowingly making a false or misleading statement is an offence pursuant to the Act

Please deliver the completed form to:

Office of the Public Interest Disclosure Commissioner

**Suite 201, 211 Hawkins Street
Whitehorse, Yukon
Y1A 1X3
Fax: 867-667-8469**



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