



Yukon
Public Interest
Disclosure
Commissioner

3162 Third Avenue, Main Floor
Whitehorse, Yukon, Y1A 1G3
T: 867.667.8468
F: 867.667.8469
1-800-661-0408 ext. 8468
www.yukonombudsman.ca

NEWS RELEASE

FOR IMMEDIATE RELEASE

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Organizations across Canada create the first Whistleblower Awareness Day

Yukon Public Interest Disclosure Commissioner notes the important public interest served by whistleblowers and highlights issues with Yukon legislation

WHITEHORSE – The Yukon Public Interest Disclosure Commissioner, Diane McLeod-McKay, is working together with similar offices across the country to mark the inaugural Whistleblower Awareness Day, taking place today, March 24, 2021.

The day was created by offices in Canada which have responsibility for overseeing legislation that facilitates the disclosure by employees of potential wrongdoings within their organizations. The jurisdictions which were part of planning Whistleblower Awareness Day include Quebec, Newfoundland, British Columbia, Alberta, Saskatchewan, Manitoba, Nova Scotia and Yukon.

“Whistleblower Awareness Day will help increase knowledge of Yukon’s *Public Interest Disclosure of Wrongdoing Act* (PIDWA) and of the important role that whistleblowers play to protect the public interest,” said McLeod-McKay. “The purpose of PIDWA is to facilitate employee disclosures of potential wrongdoing that may be occurring in public entities in Yukon. A key ingredient of the legislation is that it protects those who make disclosures from reprisal.”

PIDWA has very broad coverage. The public entities covered include all departments of the Yukon government and the Yukon Legislative Assembly.

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“PIDWA is an important component of ensuring accountability amongst those who work in public entities,” said McLeod-McKay. “It also promotes public confidence in the administration of the entities covered by the legislation.”

Whistleblower Awareness Day is also an opportunity to identify some issues with PIDWA that have become apparent. PIDWA requires that the Act be reviewed within five years of it coming into force, which occurred in June 2015. The Public Interest Disclosure Commissioner (PIDC) has been informed that the review is currently underway.

The experience of the PIDC with PIDWA over the past five years has revealed a number of issues, including the following:

- Employees make disclosures to supervisors, who do not recognize them as disclosures and treat them as an HR matter;
- No public entities have procedures that effectively manage the disclosure process or that adequately protect the identity of the discloser;
- Public entities do not provide adequate training on how to make or recognize a disclosure;
- Because potential disclosures are not being managed properly, disclosers are at risk of possible reprisal; and
- There is a lack of clarity on the PIDC’s authority to obtain records and evidence in the course of an investigation.

“My recommendations to amend PIDWA will include that these issues be addressed to make PIDWA more effective and to more fully protect employees,” said McLeod-McKay.

The Ombudsman, Information and Privacy Commissioner, and Public Interest Disclosure Commissioner is an independent officer of the Yukon Legislative Assembly. For more information, please go to www.yukonombudsman.ca.

Contact:

Elaine Schiman, Communications Manager
Office of the Yukon Ombudsman, Information and Privacy Commissioner & Public Interest
Disclosure Commissioner

elaine.schiman@yukonombudsman.ca

867-332-4555

www.yukonombudsman.ca

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