



FOR RELEASE
October 30, 2014

Public Interest Disclosure of Wrongdoing bill tabled

WHITEHORSE—The Public Interest Disclosure of Wrongdoing bill was tabled today in the Yukon Legislative Assembly by Minister responsible for the Public Service Commission Currie Dixon.

The legislation was developed based on consideration of the report by the Select Committee on Whistle-blower Protection and through consultation with key stakeholders.

"This legislation provides a robust framework for the disclosure and investigation of significant and serious matters relating to a Yukon public entity that an employee believes may be unlawful, dangerous to the public or injurious to the public interest," Dixon said. "It will also serve to protect employees who make a disclosure."

Under the proposed act, a wrongdoing could be:

- an unlawful act;
- an act or omission that endangers people or the environment;
- gross mismanagement of public funds or a public asset; or
- knowingly directing or counselling an individual to commit a wrongdoing;

The bill provides employees with several ways to disclose a wrongdoing and creates a mechanism for making a complaint of reprisal.

A reprisal is a retaliatory action (e.g., a disciplinary measure, a demotion or termination of employment) or threat of such an action against an employee who has, in good faith, sought advice about making a disclosure, made a disclosure, cooperated in an investigation under this act or declined to participate in a wrongdoing.

The bill also includes the creation of a new office of the Public Interest Disclosure Commissioner, a role that may be fulfilled either by Yukon's Ombudsman or by another person appointed to the position. The commissioner can receive and investigate disclosures of wrongdoing or complaints of reprisal and make recommendations.

If a public entity does not agree with the Commissioner's finding of reprisal or the recommendations for remedy to a person who has suffered a reprisal, then the matter can be taken to arbitration for a final, binding decision.

Pending approval, the new act is expected to be brought into force in 2015, allowing time for the commissioner and public entities to prepare for implementation.

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See backgrounder below for a list of public entities covered by the bill.

Contact:

Elaine Schiman
Cabinet Communications
867-633-7961
elaine.schiman@gov.yk.ca

Nigel Allan
A/Communications Manager
Public Service Commission
867-667-8902
nigel.allan@gov.yk.ca

Backgrounder: Public entities included in the Public Interest Disclosure of Wrongdoing bill

- A department, directorate, secretariat or other similar executive 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

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