



INTERNAL DISCLOSURE OF WRONGDOING

PURPOSE

1. This directive describes the process for the disclosure of wrongdoing within the public service as provided by Part 6 of the *Public Service Act (PSA)*.

DEFINITIONS

2. Disclosure means the provision of information by a public servant to the appropriate authority as outlined in this directive.
3. Public Servants include all employees of the Government of Nunavut (GN) including those employees of the public bodies set out in [Schedule A of the PSA](#).
4. A Senior Manager means an employee who occupies a position that involves management of significant financial resources, programs and personnel, and, where an employee reports directly to a deputy head, means the deputy head. This generally means a senior manager who occupies a Director level position or higher.
5. Reprisal includes any action, threat or attempt to suspend, demote, dismiss, discharge, expel, intimidate, coerce, evict, terminate a contract to which the person is a party without cause, commence legal action against, impose a pecuniary or other penalty on or otherwise discriminate against the person because of a disclosure of wrongdoing by that person or because the person assists in the investigation of a disclosure made by another person.
6. Wrongdoing includes the following conduct by a public servant:
 - a. contravention of an Act of the Legislative Assembly, the Parliament of Canada or the legislature of a province or territory, or of a regulation made under any such Act;
 - b. failure to comply with applicable directives made by the Minister, the Minister responsible for the Financial Administration Act, or the Financial Management Board with respect to management of the public service or public assets for which the employee is responsible;
 - c. misuse of public funds or public property;
 - d. gross mismanagement of public property or resources for which the employee is responsible, including an act or omission showing a reckless or willful disregard for the proper management of public property or resources;



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- e. harassment or verbal or physical abuse of any person other than an employee or violation of the human or contractual rights of any person providing services to or receiving services or information about services of any kind from a department or public body;
- f. an act or omission that creates a substantial and specific danger to the life, health or safety of persons, to public or private property, or to the natural environment, other than a danger that is inherent in the performance of the duties or functions of an employee;
- g. a serious breach of the Code of Values and Ethics;
- h. any act of reprisal against an employee or other person; or
- i. a request, direction or encouragement by a supervisor or senior manager to an employee or by an employee to any other person to commit a wrongdoing set out in paragraphs (a) to (h)".

APPLICATION

7. This directive applies to all GN public servants.

PROVISIONS

- 8. Disclosures of wrongdoing by GN public servants should be in writing and contain the information requested in the attached Appendix A. If the person making the disclosure is unable to complete the disclosure form, the person accepting the disclosure must complete the disclosure form with the information provided.
- 9. A public servant may provide a disclosure of wrongdoing to one or more of the following people:
 - a. Employee’s Senior Manager;
 - b. Employee’s Deputy Head;
 - c. Deputy Minister of the department responsible for the PSA; and/or
 - d. Any other Deputy Minister that the employee considers appropriate in the circumstances.
- 10. A senior manager or deputy head who receives a disclosure of wrongdoing must immediately forward the disclosure to the Director of Employee Relations and Job Evaluation.
- 11. The Director of Employee Relations and Job Evaluation will ensure that an internal investigation is started within 2 working days of receipt of a disclosure of wrongdoing with the appointment of an investigator.

