



Supervisor Toolkit

Introduction

This toolkit provides supervisors with guidance about their role under the Public Interest Disclosure Act (PIDA). The supervisor's role is to provide information or advice about the disclosure process to employees who ask for this assistance. Due to the confidentiality protections provided by PIDA, supervisors should direct any questions they have about PIDA or their role to the Designated Officer or the Manager, Policy and Compliance and not to their Human Resources. Supervisors may also contact the Office of the Public Interest Commissioner for further guidance.

Frequently Asked Questions

Who is a supervisor under PIDA?

An employee's supervisor is the person to whom that employee directly reports. Anyone with employees who directly report to them is a supervisor under PIDA. PIDA protects employees who seek information or advice about the disclosure process from their supervisors against reprisal.

What is the supervisor's role under PIDA?

Employees who are considering making a disclosure under PIDA may seek information or advice about the disclosure process from their supervisor. Supervisors are strongly encouraged to use the **Record of Information and Advice from Supervisor** form provided in this toolkit for this purpose.

Do employees have to talk to their supervisors before making a disclosure?

No. Employees who seek information or advice from their supervisors are protected against reprisal as soon as they take this step, but they do not need to speak with their supervisors to make a disclosure under PIDA.

What does "information or advice" mean?

Information or advice is limited to information about the disclosure process, including:

- an employee's options for making a disclosure and how employees can contact Confidence Line, the Designated Officer, or the Office of the Public Interest Commissioner.
- advising employees who seek information or advice, or ultimately make a disclosure, that they are protected against reprisal. Reprisal involves action taken against employees because of their participation in the disclosure process or refusal to engage in wrongdoing, and it includes changes that adversely affect working conditions, such as suspension, reduction in pay, demotion, discipline, transfer, or termination.

It is not the supervisor's role to advise whether alleged conduct is a wrongdoing under PIDA or to express any views or opinions about whether employees should make a disclosure.

Do not ask for information about the alleged wrongdoing.

Can supervisors accept whistleblower disclosures?

No. Supervisors cannot accept disclosures under PIDA. Their role is limited to providing information or advice about the disclosure process and reprisal protection. Employees who wish to make a disclosure have three options: (1) they may make a disclosure through Confidence Line, (2) they may make a disclosure to the Designated Officer, or (3) they may make a disclosure directly to the Office of the Public Interest Commissioner.

What is “wrongdoing” under PIDA?

PIDA applies to significant and serious wrongdoing that is harmful to the public interest. Wrongdoing under PIDA includes engaging in, or directing or counselling someone to engage in, the following conduct:

- Actions that are contrary to federal or provincial legislation or regulations;
- Actions or omissions that create a substantial and specific danger to the life, health, or safety of individuals or the environment;
- Gross mismanagement of public funds, a public asset, or the delivery of a public service;
- Gross mismanagement of employees through bullying, harassment, or intimidation that is systemic in nature and indicates a problem with organizational culture.

PIDA does not apply to:

- Dangers that are inherent in an employee’s job duties;
- Day-to-day human resources matters that would ordinarily be dealt with under collective agreements, Respectful Work and Learning Environment (RWLE) Policy, or other internal mechanisms.

Can employees who have concerns about workplace bullying or harassment make a disclosure under PIDA?

PIDA only applies to workplace bullying or harassment where that conduct is widespread and systemic in nature. For PIDA to apply, the conduct **must be so severe that it affects the overall culture of an organization**. Any other concerns about workplace conflict should be dealt with through internal mechanisms such as the RWLE policy or collective agreements. Employees should be provided with information about how to access these processes.

Disclosures involving allegations of systemic bullying or harassment will only be investigated by the Designated Officer or the Public Interest Commissioner if employees have first used and considered these other internal resolution mechanisms.

Should supervisors take notes when employees ask for information or advice about PIDA?

As soon as employees seek information or advice from their supervisors, the reprisal protections under PIDA are triggered. It is therefore important to have a record that reflects when the interaction took place, and the information provided. Supervisors are strongly encouraged to use the **Record of Information or Advice from Supervisor** form included within this toolkit. In addition to providing a record of when the interaction took place, the form also provides supervisors with a checklist of the information that should be provided to employees.

Supervisors should advise employees about confidentiality in the PIDA process, and that the forms will be stored in a secure location and not placed on their employee file.

Supervisors should also offer to provide a copy of the completed form, and a copy of the policy and procedure to the employee.

Contact Information:

ConfidenceLine
[Medicine Hat College - ConfidenceLine](#)
1-800-661-9675

MHC Designated Officer
designatedofficer@mhc.ab.ca

Alberta’s Public Interest Commissioner
info@pic.alberta.ca
1-855-641-8659
www.yourvoiceprotected.ca



Record of Information or Advice from Supervisor

The purpose of this form is to assist supervisors when an employee who is considering making a disclosure under PIDA seeks information or advice about the process. **Inquiries about PIDA and the identity of the employees who seek information or advice are confidential.** Please store completed forms in a secure location and do not place a copy on the employee's file. Do not store in a personal drive (p) or locally on any specific computer. This form must be retained for ten years according to the MHC retention and disposition schedule and may be requested by the Public Interest Commissioner in cases of reprisal.

Date: _____

Name of Employee: _____

Checklist of information and advice sought and provided:

- Clarified purpose of discussion (that employee is seeking information or advice about the disclosure process under PIDA)
- Informed employee about reprisal protections
- Provided information about confidentiality under PIDA
- Provided overview of options for making a disclosure:
 - o Confidence Line
 - o Designated Officer
 - o Commissioner
- Provided contact information for disclosure
- If applicable, provided employee with information about other processes under their collective agreement or other applicable MHC policies. (RWLE, Code of Conduct, OH&S)

Optional Additional Notes:

Supervisor Name: _____

Supervisor Signature: _____

Please offer a copy of this document to the employee for their records