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| Policy Name       | <b>PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER) PROTECTION</b> <i>Revised</i> |                     |                  |
| Policy Number     | CO 1.0  | Category            | Compliance       |
| Policy Authority  | Manager, Policy and Compliance  | Approval Date       | October 30, 2024 |
| Executive Sponsor | Vice-President, Administration and Finance                                  | Next Review Date    | October 30, 2024 |
| Approved By       | President and CEO   | Frequency of Review | every 5 years    |

### 1. POLICY STATEMENT

A just workplace culture is fundamental to the success of public sector organizations in Alberta. To ensure Medicine Hat College (MHC) maintains high standards of legal, ethical, and fiscal behavior, MHC endorses a culture where employees and supervisors work collaboratively to identify and remedy wrongdoings and ensure employees who come forward to report wrongdoings are protected and valued.

### 2. SCOPE

The Public Interest Disclosure (Whistleblower Protection) Act (the Act) facilitates the disclosure and investigation of significant and serious matters that employees believe to be unlawful, dangerous, or injurious to the public interest. The Act applies to MHC employees.

The Act and this policy only apply to wrongdoings as defined under the Act, that are committed after the Act came into force on June 1, 2013, and those added to the amended Act that came into force on March 1, 2018.

Matters that are not wrongdoings as defined under the Act will be managed in accordance with other internal operational policies and procedures.

### 3. DEFINITIONS

- **Chief Officer:** has the same meaning as set out in the Act and for the purposes of the college, means the President and CEO.
- **Designated Officer:** a senior official designated by the Chief Officer to manage and investigate disclosures.
- **Employee:** any person who is employed by MHC or who provides services to MHC under an employment contract. This includes individuals who have suffered a reprisal and are no longer employed by MHC.
- **Good Faith Disclosure:** a disclosure that is not frivolous, does not seek to deceive, and does not seek to cause emotional or material harm.
- **Reprisal:** adverse employment action or measures that are taken, or threatened to be taken against an employee for seeking advice or reporting a possible wrongdoing, including but not limited to:
  - (a) a dismissal, layoff, suspension, demotion or transfer, discontinuation, or

- elimination of a job, change of job location, reduction in wages, change in hours of work, or reprimand,
- (b) any actions or measures, other than those mentioned in item (a) above, that adversely affects the employee's employment or working conditions,
  - (c) intimidation or coercion, and
  - (d) harassment or discrimination.
- **Supervisor:** under the Act, a supervisor is anyone with employees who directly report to them.
  - **Wrongdoing:** a significant and serious matter in relation to the college that may be unlawful, dangerous to the public, or injurious to the public interest including but not limited to:
    - (a) a contravention of a statute of Alberta, a regulation made pursuant to a statute of Alberta, an Act of the Parliament of Canada, or a regulation made pursuant to an Act of the Parliament of Canada;
    - (b) an act or omission that creates:
      - i. a substantial and specific danger to the life, health, or safety of individuals, other than a danger that is inherent in the performance of the duties or functions of the employee;
      - ii. a substantial and specific danger to the environment;
    - (c) gross mismanagement, including an act or omission that is deliberate and that shows a reckless or willful disregard for the proper management of:
      - i. public funds or a public asset;
      - ii. the delivery of a public service, including the management or performance of:
        - a contract or arrangement identified or described in the regulations, including the duties resulting from the contract or arrangement of any funds administered or provided under the contract or arrangement; and
        - the duties and powers resulting from an enactment identified or described in the regulations or any funds administered or provided as a result of the enactment; or
      - iii. employees, by a pattern of behaviour or conduct of a systemic nature that indicates a problem in the culture of the organization relating to bullying, harassment or intimidation;
    - (d) knowingly directing or counselling an individual to commit a wrongdoing identified in the above clauses.

#### 4. PRINCIPLES

- 4.1. MHC is committed to identifying and remedying wrongdoings and recognizes its legal and ethical responsibilities under the Act and in doing so, endeavors to instill public confidence in its administration.
- 4.2. MHC supports employees who come forward to report wrongdoings by providing guidance on how to report and making them aware of the protection provisions afforded to them under the Act.
- 4.3. MHC is committed to protecting all employees who expose possible wrongdoings from reprisal within the college and will maintain an environment of safe disclosure of allegations of possible wrongdoings made in good faith.
- 4.4. MHC and the Chief Officer will ensure that a policy and procedure are established and maintained so that the protected disclosure can be received, managed, and acted upon.

## 5. ROLES AND RESPONSIBILITIES

**5.1. Employees** who believe wrongdoings are occurring within MHC are protected from any type of reprisal when they seek advice or report the wrongdoing to the Designated Officer, or to the Public Interest Commissioner. Employees are responsible for

- (a) reporting wrongdoings in good faith,
- (b) cooperating during an investigation, and
- (c) providing any information the investigator, Designated Officer, or Public Interest Commissioner requires.

**5.2. Supervisors** are responsible for

- (a) giving information or advice about the disclosure process to employees who are considering making a disclosure of wrongdoing and reading Appendix A. (It is not the role of a supervisor to advise whether alleged conduct is a wrongdoing under the Act, or to express any views about whether employees should make a disclosure.)

Employees are protected from any reprisal as a result of seeking advice from their supervisor.

**5.3. The Designated Officer** is the individual appointed by the Chief Officer and is responsible for

- (a) receiving and managing disclosures of wrongdoings made by employees, and
- (b) providing information and advice to employees who are considering making a disclosure.

If a Designated Officer is not appointed, the Chief Officer fills this role.

**The Designated Officer for MHC is the Vice-President, Administration and Finance.**

**5.4. The Chief Officer** is responsible for the overall administration and reporting requirements of the Act within MHC. This includes

- (a) establishing and maintaining this policy and procedure,
- (b) ensuring information about the Act and this policy is widely communicated to employees,
- (c) implementing corrective measures at the conclusion of an investigation, when required.

**The Chief Officer of MHC is the President and CEO.**

**5.5. The Board of Governors** is responsible for

- (a) promoting a culture that supports employees who come forward to report wrongdoings,
- (b) ensuring MHC is compliant with the Act and supporting the Chief Officer in implementing corrective measures following an investigation.

When an investigation is conducted by the Public Interest Commissioner relating to the chief officer, the Board of Governors is responsible for receiving the Commissioner's report and implementing corrective measures, if required.

## 6. APPLICABLE LEGISLATION/REGULATIONS

Alberta Public Interest Disclosure Act

## 7. RELATED DOCUMENTS

CO 1.1 Disclosure of Wrongdoings

CO 1.0 Appendix A - Supervisor Toolkit

**ORIGINAL COPY SIGNED**

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Kevin Shufflebotham  
President and CEO  
Date: October 30, 2024

**ORIGINAL COPY SIGNED**

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Wayne Resch  
Vice-President, Administration and Finance  
Date: October 30, 2024

**DOCUMENT HISTORY**

|               |                         |
|---------------|-------------------------|
| August 2016   | Revised policy approved |
| December 2018 | Revised policy approved |
| October 2024  | Revised policy approved |