REPRISAL COMPLAINT FORM

PROTECTED B once completed

Need help?

We strongly recommend reading through the entire form before completing it. You will find explanatory sections throughout the document. If you are using a computer with Internet access, you can click on the hyperlinks to view additional information. Alternatively, you can scan the QR codes using a smartphone connected to the Internet.

Please respond to all questions to the best of your ability. If you require assistance, contact us at 1-866-941-6400.

Definition: reprisal

A reprisal may be any adverse action taken against you because you made a disclosure of wrongdoing or cooperated in an investigation into a disclosure of wrongdoing. It can come in many forms, such as:

(a) A disciplinary measure

(b) The demotion of a public servant

(c) The termination of employment of the public servant, including, in the case of a member of the Royal Canadian Mounted Police, a discharge or dismissal

(d) Any measure that adversely affects the employment or working conditions of the public servant

(e) A threat to take any of the measures referred to in any of paragraphs (a) to (d)

Definition: protected disclosure

A protected disclosure is a disclosure of wrongdoing that an employee working in the federal public sector or a member of the RCMP made in good faith to their supervisor, to their organization's designated Senior Officer, or directly to our Office.

A protected disclosure may also include wrongdoing allegations made:

- in the course of a Parliamentary proceeding;
- in the course of a procedure established under any other Act of Parliament; or
- when lawfully required to do so.

Harassment complaints and workplace grievances are generally not considered protected disclosures.

• What is this form for

Use this form to file a reprisal complaint if measures were taken against you because you have made a protected disclosure of wrongdoing or participated in a related investigation.

• Who should use this form

- Federal public servants, including members of the Royal Canadian Mounted Police and employees of federal crown corporations.

- Former federal public servants as long as the alleged reprisal took place because they made a disclosure of wrongdoing or participated in an investigation while working as a federal public servant.

• How to submit this form

Send the completed form by mail to the following address:

PO Box 987
Ottawa PO B, ON
K1P 5R1

• Responsability

By submitting this reprisal complaint, you are authorizing the Office of the Public Sector Integrity Commissioner to collect your personal information.

This information will be collected solely for purposes related to the application of the Public Servants Disclosure Protection Act. Accordingly, a representative from the Commissioner's Office may contact you for further information.

It is your responsability to provided the Commissioner with true and accurate information, including attached relevant documents if necessary.

Learn more

Watch the video "Reprisal Protection"

Go to next page for questions ▶

Need help?

Definition: public servant

Under the Public Servants Disclosure Protection Act, public servant means every person employed in the federal public sector, including members of the Royal Canadian Mounted Police and employees of federal crown corporations.

Scan the QR code to watch the video "Definition: public servant"

1. YOUR STATUS

1.1 Which of the following options best describes your status when the alleged reprisal took place?

○ Federal public servant or former federal public servant

Skip to page 4 ▶▶

○ Royal Canadian Mounted Police (RCMP) member

Go to next page ▶

Public Servants Disclosure Protection Act limitations

The protection from reprisal provided by the Public Servants Disclosure Protection Act is limited to federal public servants.

If you were not a federal public servant at the time you were subjected to reprisal, our Office has no jurisdiction to investigate into allegations of reprisal actions taken against you. If you have any questions, contact us for more information.

Need help?

Actions under section 20.2 of the Royal Canadian Mounted Police Act

The Public Servants Disclosure Protection Act provides that a member or former member of the Royal Canadian Mounted Police (RCMP) may not make a complaint in relation to any action under section 20.2 or any matter that is subject to investigation or proceeding under Part IV of the RCMP Act, unless:

(a) they have exhausted other procedures available for dealing with the action or matter; **and**

(b) have filed the complaint within 60 days after those procedures have been exhausted.

2. ROYAL CANADIAN MOUNTED POLICE (RCMP) MEMBER

2.1 Does the subject-matter of the reprisal complaint concern an action under section 20.2 of the Royal Canadian Mounted Police Act, or any matter that is the subject of an investigation or proceeding under Part IV of the RCMP Act?

○ Yes

Go to next question ▶

○ No

Skip to page 4 ▶▶

2.2 Have you exhausted other procedures?

○ Yes

Go to next question ▶

○ No

Skip to question 2.2.3 ▶▶

2.2.1 Please, list the procedures and any final decisions received.

2.2.2 When have you received the latest final decision?

Skip to page 4 ▶▶

2.2.3 Why haven't you exhausted other procedures?

Need help?

Our jurisdiction

Our Office has jurisdiction over most federal public sector organizations, including the Royal Canadian Mounted Police and Crown Corporations.

The Commissioner does **not** have jurisdiction over:

- The Canadian Forces
- The Canadian Security Intelligence Service
- The Communications Security Establishment
- Elected officials or their staff
- Employees of the House of Commons and the Senate
- Political parties
- Organizations falling under provincial, territorial, regional and municipal legislation, such as hospitals or schools
- The private sector

* This organization is excluded from the Public Servants Disclosure Protection Act, but it is required to establish its own disclosure regime.

** If your disclosure alleges wrongdoing by an elected official, you may want to make a disclosure to the Conflict of Interest and Ethics Commissioner, who has jurisdiction under the Conflict of Interest Act.

*** The Senate Ethics Officer is an independent, non-partisan officer of the Senate whose mandate is to administer the Ethics and Conflict of Interest Code for Senators and provide advice on the Code to senators.

**** You may submit your concerns about something that happened during a federal election or by-election to the Commissioner of Canada Election, who is responsible for ensuring compliance with, and enforcement of, the Canada Elections Act.

Scan the QR code to watch the video "Our jurisdiction"

3. In which organization or department the alleged wrongdoing took place?

- ○ The Canadian Forces*
  See note 1 below ↓
- ○ The Department of National Defence
  See note 2 below ↓
- ○ The Canadian Security Intelligence Service*
  See note 1 below ↓
- ○ The Communications Security Establishment*
  See note 1 below ↓
- ○ The House of Commons**
  See note 1 below ↓
- ○ The Senate***
  See note 1 below ↓
- ○ A political party****
  See note 1 below ↓
- ○ An organization falling under provincial, territorial, regional and municipal legislation, such as hospitals or schools
  See note 1 below ↓
- ○ An organization in the private sector
  See note 1 below ↓
- ○ A Crown corporation
  Go to next page ▶▶
- ○ Other federal public sector organization
  Go to next page ▶▶

Note 1: Our jurisdiction

Please, note that **the Public Sector Integrity Commissioner doesn't have jurisdiction over this organization.**

You may wish to address your concerns through other mechanisms. Examples include independent provincial, territorial, or municipal oversight bodies, sector-specific complaint bodies—such as an ombudsman or equivalent, and formal workplace mechanisms designed to address employee concerns. Depending on the nature of the allegations, unionized employees may also consider filing a grievance.

Note 2: Department of National Defence

The Public Sector Integrity Commissioner's jurisdiction over Department of National Defence (DND) doesn't extend to the Canadian Armed Forces (CAF).

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Need help?

Scan the QR code to watch the video "Why do we ask complainants for personal information?"

Definition: protected disclosure

A protected disclosure is a disclosure of wrongdoing that an employee working in the federal public sector or a member of the RCMP made in good faith to their supervisor, to their organization's designated Senior Officer, or directly to our Office.

A protected disclosure may also include wrongdoing allegations made:

- in the course of a Parliamentary proceeding;
- in the course of a procedure established under any other Act of Parliament; or
- when lawfully required to do so.

Harassment complaints and workplace grievances are generally not considered protected disclosures.

Public disclosure

A disclosure to the media or through social media is only protected in exceptional circumstances: if the public servant does not have enough time to make it to his/her supervisor, his/her Senior Officer or to our Office, and the public servant believes on reasonable grounds that there has been a serious breach of federal or provincial laws, or that there is an imminent risk of a substantial and specific danger to the life, health and safety of persons or the environment.

Scan the QR code to watch the video "What is a protected disclosure?"

4. Tell us about yourself

First name

Last name

Job title or rank when the alleged reprisal took place

Where did you work (which federal department/organization) when the alleged reprisal took place?

5. Have you made a protected disclosure of wrongdoing or participated in an investigation?

- ○ No
  See note 3 below ↓
- ○ I have made a disclosure of wrongdoing to my supervisor
- ○ I have made a disclosure of wrongdoing to a senior officer in my organization
- ○ I have made a disclosure of wrongdoing to Office of the Public Sector Integrity Commissioner
- ○ I have participated in an investigation into a disclosure of wrongdoing
- ○ I have disclosed wrongdoing in the course of a Parliamentary proceeding
- ○ I have disclosed wrongdoing in the course of a procedure established under another Act of Parliament
- ○ I was lawfully required to do so
- ○ I have made a public disclosure (e.g. to the media or through social media)

Note 3: Reprisal protection

For an action to be considered "reprisal" under Public Servants Disclosure Protection Act, the alleged measures must have been taken against you because you made a protected disclosure of wrongdoing or cooperated in a related investigation.

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Scan the QR code to watch the video "What is a protected disclosure?"

6. Tell us about it

6.1 Please provide details, including relevant dates and names of the people to whom or the office to which you made a protected disclosure or conducted the investigation or procedure.

6.2 Do you have any written proof of your involvement, such as a letter or notice of investigation?

- ○ Yes

  See note 4 below ↓

- ○ No

Note 4: Supporting documentation

Attach a copy of your written proof of your involvement, such as a letter or notice of investigation.

Do not include Cabinet confidences or information protected by solicitor-client privilege.

Need help?

Time limit

The Public Servants Disclosure Protection Act provides that a reprisal complaint must be filed not later than 60 days after the day on which you knew, or in the Commissioner's opinion, ought to have known, that the reprisal was taken.

The Commissioner may exceptionally accept reprisal complaints after the 60-day period under some circumstances. For additional information, consult the Office's Policy on the Time Limit for Making a Complaint of Reprisal.

Scan the QR code to watch the video "What if I have not made my reprisal complaint within 60 days"

7. When did it happen?

7.1 Please indicate when you became aware of the reprisal(s), to the best of your recollection:

Date:

7.2 If you are filing your complaint outside the 60-day limitation period, please explain the reasons for the delay.

7.3 How did you become aware of the reprisal actions?

Need help?

Scan the QR code to watch the video "What if I have already made a reprisal complaint to someone else?"

8. Other proceedings

8.1 Have you filed a complaint with another person or body acting under another Act of Parliament, or under a collective agreement?

○ No

Skip to question 9 ▶▶

○ Yes

We may not be able to investigate your allegations

According to the Public Servants Disclosure Protection Act, the Commissioner may not deal with a complaint if a person or body acting under another Act of Parliament or a collective agreement is dealing with the subject-matter of the complaint other than as a law enforcement authority (see Subsection 19.3(2) of the Act).

The Commissioner may also refuse to deal with a complaint if she is of the opinion that the subject-matter of the complaint has been adequately dealt with, or could more appropriately be dealt with, according to a procedure provided for under an Act of Parliament, other than this Act, or a collective agreement (see Subsection 19.3(1) of the Act).

8.2 How did you raise your concerns? Select all that apply.

☐ I reported them to my departmental senior officer for internal disclosure

☐ I reported them to my supervisor or manager

☐ I filed a grievance

See note 5 below ↓

☐ I filed a harassment complaint

☐ Through other formal complaint (Privacy Act, Access to Information Act, Human Rights complaint, etc)

☐ Other

Note 5: Written proof of your grievance

If you have any written proof of your grievance, please attach it to your submission.

Do not include Cabinet confidences or information protected by solicitor-client privilege.

Need help?

If necessary, you can attach an extra page to provide your responses.

8.3 To whom have you reported your concerns?

8.4 When have you reported?

8.5 What was the outcome?

Need help?

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(b) The demotion of a public servant

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(d) Any measure that adversely affects the employment or working conditions of the public servant

(e) A threat to take any of the measures referred to in any of paragraphs (a) to (d)

9. Alleged reprisal

9.1 Who do you believe to have taken reprisal measures against you?

First name

Last name

Job title or rank

Federal department/organization

Work unit

Work telephone

Work address

City | Province

Postal code | Country

Addresses outside Canada

If the address is outside Canada, you can leave blank any non-applicable fields.

Person 2 (if applicable)

First name

Last name

Job title or rank

Federal department/organization

Work unit

Work telephone

Work address

City | Province

Postal code | Country

Additional alleged reprisal takers

If necessary, use the field "Your description" below to provide information about additional alleged reprisal takers.

Need help?

Scan the QR code to watch the video "Best practices in describing a reprisal act"

Supporting Documentation

Do not include confidences of Cabinet or information that is protected by solicitor-client privilege.

To ensure a timely review of your case, only provide documentation that supports your allegations, specifying which portions you deem relevant to the alleged reprisal.

9.2 In your own words, while keeping in mind the definition of reprisal, please describe what reprisal measures you believe were taken against you. Don't forget to include:

- What your specific allegations are;
- When the alleged reprisal action occurred;
- Where (work unit or branch) the alleged reprisal took place;
- How you think the people who reprised against you became aware of your protected disclosure.

Supporting documentation

You may attach supporting documentation, evidence and additional information, if necessary.

Need help?

Scan the QR code to watch the video "Why do we ask complainants for personal information?"

Definition: public servant

Under the Public Servants Disclosure Protection Act, public servant means every person employed in the federal public sector, including members of the Royal Canadian Mounted Police and employees of federal crown corporations.

Scan the QR code to watch the video "Definition: public servant"

10. Contact

10.1 What is your **present status**?

- ○ Federal **public servant**
- ○ Former federal **public servant**
- ○ Royal Canadian Mounted Police (RCMP) member
- ○ Former Royal Canadian Mounted Police (RCMP) member

10.2 Provide your contact information

Email

Phone (daytime) Alternative phone

10.3 What is your mailling address?

Address

City Province

Postal code Country

Addresses outside Canada

If the address is outside Canada, you can leave blank any non-applicable fields.

10.4 How do you prefer to be contacted?

- ○ By email
- ○ By phone

10.5 In which official language do you prefer to be contacted?

- ○ English
- ○ French

Need help?

You have the right to be assisted or represented

Although not required, you have the right to be assisted or represented by any person of your choice, including a counsel or a union representative, when making a reprisal complaint.

Scan the QR code to watch the video "Representation"

11. Representation

11.1 Are you currently being represented?

- ○ No

  You have completed the form.

- ○ Yes

11.2 Representation contact information

Organization

First name

Last name

Email

Phone (daytime) Alternative phone

11.3 Your representative address

Address

City Province

Postal code Country

> **Addresses outside Canada**
>
> If the address is outside Canada, you can leave blank any non-applicable fields.

11.4 Do you want the Office of the Public Sector Integrity Commissioner to contact you directly or through your representative?

- ○ Through my representative
- ○ Contact me directly

11.5 Correspondence

- ○ Send correspondence to my representative as well as to me
- ○ Send correspondence to me only
- ○ Send correspondence to my representative only

You have completed the form.