



POLICY NO. 18  
SAFE DISCLOSURE  
(WHISTLEBLOWER) POLICY

This policy was adopted for the first time by Resolution Number 366-11 on April 7, 2015.

# ***POLICY NO. 18 – SAFE DISCLOSURE (WHISTLEBLOWER) POLICY***

## **ARTICLE 1 - SCOPE**

- 1.1 This policy applies to all employees and students of John Abbott College (the “**College**”) and establishes a procedure pursuant to which its employees and students can safely raise an Improper Act without fearing Reprisal (as defined below).
- 1.2 This policy applies in financial or legal situations where it is not possible to use the usual method of reporting concerns to an employee’s immediate superior or through other policy processes, as applicable.

## **ARTICLE 2 - DEFINITIONS**

- 2.1 “**Improper Act**” means any violation of laws, regulations and/or policies, including, without limitation, theft, embezzlement, misappropriation, fraud, etc.
- 2.2 “**Reprisal**” means any punitive measure or action taken, or threatened to be taken, against an employee or student for having made a good faith disclosure under this policy, including, without limitation, disciplinary action, termination, demotion, etc.

## **ARTICLE 3 - PROCEDURE**

- 3.1 Any employee or student who becomes aware of an Improper Act may report the matter to the Secretary General in writing by providing as much information as possible, including, without limitation, a description of the conduct, dates, places, persons involved/witnesses, relevant documentation, etc., so that a reasonable investigation may be conducted. If the Improper Act involves the Director General or the Secretary General, the matter may be reported to the Chair of the Board of Governors.
- 3.2 An investigation shall be conducted by the Secretary General, the Chair of the Board of Governors, or a designated person, as applicable.
- 3.3 The investigation shall be conducted with due regard to the sensitivity of the complaint and the investigator shall use reasonable efforts to protect the privacy of the complainant and the confidentiality of the investigation, to the extent consistent with a fair investigation. Information about the investigation shall be shared strictly with those who have a legitimate need for information. The investigator shall advise all persons interviewed to treat all information, evidence and proceedings as confidential.
- 3.4 The investigation shall be completed within a reasonable amount of time, taking into account the circumstances and the content of the complaint. Within thirty (30) days following receipt of

the complaint, a report of the conclusions of such investigation should be prepared and shared with the complainant and the person being investigated. Should the investigation be more complex and require additional time, such report shall consist of a preliminary report.

- 3.5 No employee or student who raises an Improper Action in good faith in accordance with the terms hereof shall be subject to Reprisal, regardless of the results of the investigation.
- 3.6 On an annual basis at one of its meetings, the Secretary General shall present the Executive Committee with a report which lists the number of Improper Acts investigated in accordance with the terms hereof together with the status of the investigation, it being understood that the privacy of the complainant and the person being investigated will be respected.
- 3.7 For greater certainty, nothing in this policy shall replace or supersede any complaint, grievance or appeal procedure set out in any other policy of the College or any collective or employment agreement, as applicable.

#### **ARTICLE 4 - RESPONSIBILITY FOR APPLYING THIS POLICY**

The Secretary General is responsible for the application of this policy.

#### **ARTICLE 5 - EFFECTIVE DATE**

This policy will come into force upon its adoption by the Board of Governors.