



Labour and Advanced Education

Report on the Implementation of the

Public Interest Disclosure of Wrongdoing Act

For the Fiscal Year 2012/2013

June, 2013

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1. Message from the Deputy Minister

I am pleased to present the 2012/2013 report on the implementation of the Public Interest Disclosure of Wrongdoing Act Report by the Department of Labour and Advanced Education. This report supports the Government's commitment to provide a process to facilitate the disclosure and investigation of potential wrongdoing and to provide protection for those who disclose.

Labour and Advanced Education delivers a wide range of services that directly and significantly impact Nova Scotians. We work every day to keep our workplaces safe and fair, reduce the risk of fire in our communities, and make sure Nova Scotians have the right skills for good jobs through training and post-secondary education.

As public servants we all share a commitment to ensure that Nova Scotians continue to be served by a professional, ethical and accountable civil service. In the rare cases where existing processes are inadequate to assure effective, efficient and fair service delivery, it is important that we encourage a work environment where employees feel safe to report any wrongdoing they may encounter and that they do so without fear of reprisal. The Public Interest Disclosure of Wrongdoing Act and regulations provide a reporting process and provide greater protection for employees who come forward with a potential wrongdoing.

The Public Interest Disclosure of Wrongdoing Act is not intended to deal with all matters and concerns that employees may have. This Act is the avenue for dealing with specific wrongdoings as defined in the Act. Other laws such as the Occupational Health and Safety Act and the Human Rights Act, corporate human resources policies and the grievance process for unionized employees provide additional avenues of redress for government employees that may be more appropriate depending on some circumstances.

Definition of “Wrongdoing”

Under the Public Interest Disclosure of Wrongdoing Act, "wrongdoing" means

- (i) a contravention of Provincial or federal statutes or regulations if the contravention related to official activities of the employee or any public funds or assets,
- (ii) a misuse or gross mismanagement of public funds or assets,
- (iii) an act or omission that creates a substantial and specific danger to the life, health or safety of persons or the environment, or
- (iv) directing or counselling someone to commit a wrongdoing described in subclauses (i) to (iii).

Disclosure of Wrongdoing

Between April 1, 2012 and March 31, 2013, there were no disclosures of wrongdoing made by employees of Labour and Advanced Education under the Public Interest Disclosure of Wrongdoing Act.

Other Activities in Support of the Act

Fiscal year 2012/2013 was a foundational year in Labour and Advanced Education’s implementation of the Public Interest Disclosure of Wrongdoing Act. During that time, we appointed a “designated officer” who is responsible to receive and deal with disclosures by employees. In addition, the designated officer is our liaison with the Office of the Ombudsman and other designated officers in other departments and is responsible for the overseeing the Act in Labour and Advanced Education.

In 2013/2014, we plan to communicate details of the Public Interest Disclosure of Wrongdoing Act and regulations to all managers and staff and to create supporting policies and processes. In addition, the designated officer will be taking specialized training in the investigation of disclosures under the Act.