



MUNICIPAL DISTRICT OF GREENVIEW NO. 16

"A Great Place to Live, Work and Play"

Procedure Title: WHISTLEBLOWER

Procedure No: 2003-01

Approval: CAO

Effective Date: March 12, 2013

Supersedes Procedure No: None

1. Definitions

- 1.1. Lawful authority means any police or law enforcement agency with respect to an offence within its power to investigate; or any person whose duties include the enforcement of provincial or federal law within his or her power to investigate.
- 1.2. Misconduct means conduct which results in, or could result in, a contravention of federal or provincial law, serious breach of Greenview policy, misuse of Greenview's resources, financial mismanagement or misuse of authority. Misconduct also includes any retaliatory measures against any employee who is protected under this procedure.

2. Responsibilities

- 2.1. Chief Administrative Officer, General Managers and Chief Financial Officer to:
 - 2.1.1. Act upon any instance, or potential instance of misconduct brought to his or her attention by any employee, Member of Council, contractor conducting work on behalf of the municipality or member of the public;
 - 2.1.2. Assess concerns brought to their attention and undertake appropriate action which may include the use of internal or external resources, such as law enforcement agencies or professional consulting services, to investigate and resolve the matter;
 - 2.1.3. To resolve any instance of reprisal or retaliation against any employee or any other party acting in good faith who lodges a complaint under the this procedure;
 - 2.1.4. Hold in strict confidence any information or incidence brought forward by an employee or any other party pursuant to this procedure;

- 2.1.5. In the case of the Chief Financial Officer or a General Manager, report the incident to the Chief Administrative Officer in confidence for information and guidance if necessary; the Chief Administrative Officer will respond to the complainant within 14 days, after which if no response has been received the whistleblower shall escalate their complain to the Reeve and Deputy Reeve.
- 2.1.6. Assess and identify any policy, procedure or internal changes which may assist in preventing any further such occurrence.
- 2.2. Staff to:
 - 2.2.1. Report any instances, or potential instances, of misconduct to:
 - 2.2.1.1. Lawful authorities where a breach of law is known or suspected;
 - 2.2.1.2. Report to their General Manager, Chief Financial Officer or Chief Administrative Officer all instances of misconduct immediately.
 - 2.2.2. Where there is an instance of misconduct or potential misconduct involving a General Manager, Chief Financial Officer or Chief Administrative Officer, no staff member shall alert the alleged perpetrator;
 - 2.2.3 Report any instances or potential instances of misconduct regarding the actions of the Chief Administrative Officer to the Reeve and Deputy Reeve.
- 2.3 Reeve and Deputy Reeve to:
 - 2.3.1 Bring to Council’s attention, in camera, at a duly constituted Council meeting or Special Council meeting, any matter brought to their attention regarding the conduct of the Chief Administrative Officer;
 - 2.3.2 If appropriate, employ the use of resources including, but not limited to, opinions from legal counsel, third-party consulting and lawful authorities to assist with investigating the alleged incident or activity.
- 3. **General Provisions**
 - 3.1 Nothing in this procedure is meant to take precedence over an employee’s duties under federal or provincial law, or common law.
 - 3.2 Any unlawful misconduct or incident which may affect employee or public safety must be reported in accordance with Greenview’s health and safety policies and procedures.
 - 3.3 An employee who makes a complaint or report of misconduct under this procedure which is found to be BOTH unfounded and made with malicious intent will be subject to disciplinary measures up to and including termination for cause.

- 3.4 Anonymous complaints are discouraged, however, if an employee, for whatever reason, believes that he or she cannot report an incidence of alleged misconduct without remaining anonymous, he or she may do so to the most senior person within their division or, if that is not appropriate due to the nature of the complaint, to the Chief Administrative Officer or, if the complaint is regarding alleged conduct by the Chief Administrative Officer, to the Reeve and Deputy Reeve.
- 3.5 All parties involved in a complaint are required to remain cooperative at all times with those investigating the complaint.

4. **End of Procedure**

Approved: **13.03.173**