

POLICY ON EMPLOYEE DISCLOSURE OF WRONGDOINGS

Effective Date: November 30, 2024

Approval Authority: Board of Governors

Supersedes /Amends: March 11, 2020

Policy Number: BD-16

SCOPE

This policy (the “Policy”) applies to all Employees (as defined below) of Concordia University (the “University”).

PURPOSE

The present Policy sets out how Employees may report or disclose Wrongdoings (as defined below) and describes the protection against reprisals related to the disclosure of Wrongdoings pursuant to the Reprisals Act and the Disclosure Act (as such terms are defined below).

DEFINITIONS

For the purposes of this Policy, the following definitions shall apply:

“Collaborator” shall mean any person who participates in providing information during any stage of a disclosure under this Policy.

“Disclosure Act” shall mean an [*Act to facilitate the disclosure of wrongdoings relating to public bodies, CQLR, chapter D-11.1.*](#)

“Employee” means:

- a) an employee (includes, but is not limited to, any full-time, part-time or temporary employee of the University, including staff, faculty, postdoctoral fellows, researchers, members of the administration, stagiaires and interns) who discloses an actual or suspected Wrongdoing pursuant to this Policy; and
- b) a Governor, Director and/or Officer of the University who discloses an actual or suspected Wrongdoing pursuant to this Policy.

“Ethics and Integrity Officer” means the person who coordinates the implementation of measures to prevent wrongdoings and reprisals, informs Employees about the possibility of making a disclosure and the protection against reprisals provided for in the Reprisals Act and who acts as liaison officer for the Public Protector when an audit

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or an investigation is conducted for the purposes of the Reprisals Act and the Disclosure Act.

“Public Protector” means the entity who receives and treats disclosures of Wrongdoings related to this Policy by Employees at the University in accordance with this Policy.

“Reprisals Act” shall mean an [*Act respecting protection against reprisals related to the disclosure of wrongdoings and to amend other legislative provisions SQ 2024, c 21.*](#)

“Wrongdoing” means:

- a) a violation of any federal or provincial law or regulation;
- b) a serious breach of standards of ethics and professional conduct;
- c) a misuse of funds or property of the University, including the funds or property it manages or holds for others;
- d) gross mismanagement within the University including an abuse of authority;
- e) any act or omission that seriously compromises or may seriously compromise a person’s health or safety or the environment; or
- f) directing or counselling a person to commit a Wrongdoing described in any of paragraphs a) to e).

Wrongdoings do not fall under this Policy if they are disclosed for purposes other than the public interest (e.g., when the subject-matter pertains solely to a condition of employment of the person making the disclosure). Similarly, the present Policy will not apply to a disclosure where the purpose is to question the merits of the policies, programs and/or objectives of the University.

POLICY

Disclosing an actual or suspected Wrongdoing

1. Any Employee who has reasonable grounds to believe that a Wrongdoing has been committed or is about to be committed may make a disclosure to the Public Protector as follows:

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To the Public Protector

Direction des enquêtes sur les divulgations en matière d'intégrité publique
Protecteur du citoyen
800, place D'Youville, 18e étage Québec (Québec) G1R 3P4
Phone : 1 844 580-7993 (toll-free within Québec)
Fax : 1 844 375-5758 (toll-free within Québec)
Secured forms available at: <https://protecteurducitoyen.qc.ca/en>

2. In addition to disclosing to the Public Protector, any Employee who has reasonable grounds to believe that a Wrongdoing has been committed or is about to be committed in contravention of this Policy may report the matter or any query internally to their immediate supervisor or unit head, or to the Ethics and Integrity Officer or the Secretary-General with the mention "*Strictly confidential – To be opened by addressee only*".

Protection from reprisals

3. All Employees and Collaborators shall be protected from reprisals if they have, in good faith:
 - a) Made a disclosure;
 - b) Cooperated in an investigation conducted on the basis of a disclosure;
 - c) Advised or encouraged the making of a disclosure; or
 - d) Who have a personal relationship with the person who made a disclosure or cooperated in an investigation conducted on the basis of a disclosure.
4. The following acts are presumed to be reprisals:
 - a) Dismissal;
 - b) Suspension;
 - c) Demotion;
 - d) Displacement, or termination of an internship; or
 - e) Any disciplinary action which affects conditions of employment, work or internship.

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5. If the Employee or Collaborator is the parent of a child attending daycare services provided by the University, reprisals include depriving the parent or child of their rights, applying different standards to the parent or child, or suspending or expelling the child.
6. Such reprisals or threat of reprisals in connection with the actions relating to the disclosure of a Wrongdoing constitute a prohibited practice within the meaning of section 122 of the [*Act respecting labour standards, COLR, chapter N-1.1*](#) and section 3 of the Reprisals Act.
7. An Employee or Collaborator who believes that they have been the victim of a reprisal or threat of a reprisal may file a complaint with the Public Protector. Such complaint must be filed within 90 days of their knowledge of the reprisal or threat of reprisal.

Final Provisions

8. Nothing in this Policy precludes an Employee from availing themselves of any other University policy including, but without limitation, the *Policy on Conflict of Interest* ([BD-4](#)).
9. This Policy applies to the implementation of the applicable provisions of the Reprisals Act and the Disclosure Act at the University and must be interpreted accordingly. In the event of any conflict between this Policy and the Reprisals Act or the Disclosure Act, the Reprisals Act and the Disclosure Act shall prevail.

Policy Responsibility and Review

10. The overall responsibility for implementing and recommending amendments to this Policy shall rest with the Secretary-General.

Approved by the Board of Governors on March 11, 2020, and amended on October 24, 2024.

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APPENDIX – A

Coordinates of the Ethics and Integrity Officer

Ethics and Integrity Officer – Disclosure of Wrongdoings

1455 De Maisonneuve Blvd. W., Room GM 620-11 Montréal, QC, H3G 1M8

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