

PIDA FAQ For Employees

Introduction

Integrity and ethics have always been important to Langara College. The *Public Interest Disclosure Act* provides an additional mechanism for disclosure and reprisal protection for cases of serious wrongdoing.

What is the Public Interest Disclosure Act (PIDA)?

PIDA is British Columbia legislation that provides a framework for employees to report specific kinds of improper activity, referred to in PIDA as Wrongdoing, with legislated protection from reprisal. PIDA is effective for employees of Langara College as of June 2024.

Who does the Act apply to?

PIDA applies to the employees of Langara College, including former employees if they were employed at the time the wrongdoing occurred or was discovered, and the Board of Governors of Langara College. For the purposes of Policy D1002, students employed by Langara College fall under the definition of employee. Student-workers can report wrongdoing related to workplace activities, as opposed to concerns about instruction or other academic matters.

What is “wrongdoing”?

PIDA deals with the following specific types of wrongdoing:

- A serious act or omission that, if proven, would constitute an offence under an enactment of B.C., or Canada;
- An act or omission that creates substantial and specific danger to the life, health, or safety of persons, or to the environment, other than a danger that is inherent in the performance of an employee’s duties or functions;
- A serious misuse of public funds or public assets;
- Gross or systemic mismanagement; or
- Knowingly directing or counselling a person to commit wrongdoing as described above.

Not all wrongdoing falls under PIDA. If the wrongdoing the employee wishes to report doesn’t fit on the list, they can and should speak up through another process. Employees can ask for advice from their supervisor, Designated Officer, union, lawyer retained by the employee, or the Ombudsperson if they aren’t sure where to report wrongdoing or other concerns and issues.

What is a “Designated Officer”?

The Designated Officer is the person Langara College selected to receive and investigate disclosures and complaints under PIDA. Langara College’s Designated Officer is the Vice-President, Administration and Finance who can be contacted by email at disclosures@langara.ca or by regular mail to the attention of the Vice-President, Administration and Finance at:

Langara College
100 West 49th Avenue
Vancouver, BC V5Y 2Z6

Who can report wrongdoing under PIDA?

An employee or former employee of Langara College can report wrongdoing they reasonably believe has been committed or is about to be committed. This report is called a “disclosure.”

Who can provide advice to employees under PIDA?

An employee can seek advice from their supervisor, union or employee association representative, Designated Officer, a lawyer retained by the employee, or the Ombudsperson about PIDA, including if they are considering making a disclosure or report about wrongdoing or complaint about reprisal.

Who should former employees contact for advice about making a disclosure?

Former employees can seek advice from the Designated Officer by emailing disclosures@langara.ca. They can also contact a lawyer who they retain or the Ombudsperson.

How can an employee make a disclosure of wrongdoing?

An employee or former employee can make a disclosure of wrongdoing to their supervisor, Designated Officer, or the Ombudsperson. It’s important to make the disclosure in writing, using the online form whenever possible PIDA Disclosure Form.

Can disclosures be anonymous?

PIDA allows employees to make anonymous disclosures. When making an anonymous disclosure it is essential to provide as much detail as possible about the alleged wrongdoing. If insufficient detail is provided, and the Designated Officer does not have a way to contact the discloser, an investigation may not be conducted.

If the situation is urgent, how does an employee disclose wrongdoing?

PIDA allows for public disclosures in limited circumstances where the employee reasonably believes that a matter constitutes an imminent risk of substantial and specific danger to the life, health, or safety of persons or the environment. Please follow the [Public Interest Disclosure Procedures](#) to find out how and when you can make an urgent public disclosure.

What protections does PIDA provide for employees?

PIDA prohibits reprisals against employees who ask for advice, report wrongdoing, cooperate in an investigation or make a complaint of reprisal. Reprisal is a form of retaliation and is defined by PIDA to include discipline, demotion, termination of employment, or any other measure that adversely affects an employee’s employment or working conditions, or threatens to do any of these things because an employee has exercised their rights under PIDA. It does not protect employees from measures necessary to manage their employment relationship for reasons unrelated to the exercise of their rights under PIDA. If an employee experiences reprisal, they can make a complaint to the Ombudsperson who has the authority to investigate reprisals.

What responsibilities do Excluded Leaders have under PIDA?

Excluded Leaders are responsible for providing advice to employees about making a disclosure and receiving disclosures. The information received by Excluded Leaders in meeting these duties can only be shared in limited circumstances under the Act.

Excluded Leaders are encouraged to seek advice from the Designated Officer if they are unsure about what to do. Protecting the identity of the employee and maintaining confidentiality is important because it protects the employee from reprisal and protects the privacy of the alleged wrongdoer during the investigation.

Where to Find More Information

Find out more about Langara College's [Public Interest Disclosure Policy and Procedures](#).

Go to the [Office of the Ombudsperson website](#) for online training and webinars:

- Speaking up Safely: Your Rights & Responsibilities under PIDA
- PIDA: Supervisor [Excluded Leader] Responsibilities