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## WHISTLEBLOWER PROTECTION

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POLICY NUMBER	BRD 18-0
APPROVAL DATE	SEPTEMBER 28, 2006
LAST AMENDMENT	FIRST VERSION
REVIEW DATE	SEPTEMBER, 2011
AUTHORITY	BOARD OF GOVERNORS
PRIMARY CONTACT	ASSOCIATE VP LEGAL AFFAIRS

### POLICY

Thompson Rivers University (TRU) encourages members of the TRU community, acting in good faith, to responsibly report to University authorities Improper Activity (defined below) on the part of the University or its employees without fear of retaliation.

The University is committed to protecting individuals from interference with making a Protected Disclosure (defined below) and from retaliation for having made a Protected Disclosure.

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### REGULATIONS

1. **Definitions.** For the purpose of this Policy:
  - a. “Improper Activity” means any activity that is undertaken by the University, an employee of the University, a student, a volunteer or a contractor, that:
    - i. is in violation of federal, provincial or municipal laws or regulations including corruption, malfeasance, bribery, theft of University property, fraud, coercion, misuse of University property, or willful omission to perform duty;
    - ii. is a serious violation of University policy; or
    - iii. involves gross misconduct, gross incompetence or gross inefficiency.
  - b. “Protected Disclosure” means a communication to a responsible University employee about actual or suspected Improper Activity based on a good faith and reasonable belief that the activity has both occurred and amounts to Improper Activity.

- c. “Retaliation” means adverse action by the University against an individual because she or he has made a Protected Disclosure.
2. **False or Reckless Allegations.** Any employee or volunteer who knowingly, or with reckless disregard for the truth, makes a false report (a “False Report”) of Improper Activity is liable to disciplinary action, up to and including termination. Any student who makes a False Report is subject to discipline, up to and including suspension. Nothing in this policy prevents a member of the University community from bringing an action for defamation. Allegations that are not substantiated but which are made in good faith are not subject to discipline by the University.
  3. **Retaliation.** No individual who makes a Protected Disclosure will suffer harassment, Retaliation or adverse employment consequences. Any person who imposes Retaliation against any individual who makes a Protected Disclosure is subject to discipline, up to and including termination. Individuals who report their own misconduct are not protected by this Policy.
  4. **Reporting and Action by the University.** Members of the University community should make a Protected Disclosure to the University employee the reporting person reasonably expects to have responsibility over the affected area. Upon receiving a Protected Disclosure, the University employee receiving the Protected Disclosure will promptly report it to the Dean or Director of the employee’s department, division, school or faculty with a copy of any written material forming part of the Protected Disclosure. The Dean or Director receiving such a report will bring the matter to the attention of the Vice-President to whom she/he reports. Protected Disclosure with respect to alleged Improper Activity by a Dean or Director should be made to a Vice-President or the President. Protected Disclosure with respect to alleged Improper Activity by an Associate Vice-President or Vice-President should be made to the President. Protected Disclosure with respect to alleged Improper Activity by the President should be made to the Associate Vice-President, Legal Affairs who will bring the matter to the attention of the Chair of the Board of Governors.
  5. **Confidentiality.** Where appropriate, the University will use reasonable efforts in keeping Protected Disclosures confidential. However, individuals who make Protected Disclosures should be aware that confidentiality is not the same as anonymity, and that individuals who are accused of Improper Activity will, in most cases, be entitled to know the name of the person who has accused them.