

FORM XXI: Complaint Alleging a Reprisal Contrary to Section 28

The Public Interest Disclosure (Whistleblower Protection) Act

Complainant:

Employer:

Persons Concerned:

IMPORTANT NOTICE:

Although the identity of an employee alleging a reprisal is protected in civil or administrative proceedings, this provision **does not apply to proceedings of the Manitoba Labour Board.**

All information included in your complaint is provided to the party or parties named as respondents or interested parties. Further, such information may be referred to in the order or reasons issued by the Board at the conclusion of the case, on the Board's website and in print and online reporting services that may publish the Board's decision.

Please note that the Manitoba Labour Board deals with complaints of reprisal under The Public Interest Disclosure (Whistleblower Protection) Act as a new complaint and not as a review or continuation of the investigation, decision or recommendations of the Ombudsman respecting the alleged reprisal.

1. The written complaint to the office of the Ombudsman* was made on:

2. This application is being made because:

The Ombudsman decided not to investigate the reprisal complaint or ceased their investigation of the complaint without making a report; or

As the employee or former employee you are not satisfied with the findings or recommendations made by the Ombudsman respecting the reprisal; or

60 days have elapsed from the day on which the Ombudsman made recommendations respecting the reprisal and as the employee or former employee, you are not satisfied with the steps taken to give effect to the recommendations. The recommendations were provided by the Ombudsman on

* Complaint must have been filed with the Ombudsman prior to filing with Manitoba Labour Board. Employees of the Ombudsman must have filed complaint with the Auditor General.

The complainant hereby alleges that:

1. On or about

I sought advice about making a disclosure from my supervisor, designated officer or chief executive, or the Ombudsman;

I made a disclosure; or

I co-operated in an investigation under this *Act*.

(Please attach a concise statement describing the disclosure)

2. On or about I suffered a reprisal contrary to Section 27 of the *Act*, which I allege was a result of my disclosure.

(Please attach a concise statement of the facts providing the details of the alleged reprisal and how the reprisal is related to the disclosure referenced in question 1)

3. I am requesting that the Board Order the following remedies pursuant to Section 28(3) of the *Act*:

Permit me to return to my duties;

Reinstate me or pay damages to me, if the board considers that the trust relationship between the parties cannot be restored;

Pay compensation to me in an amount not greater than the remuneration that the Board considers would, but for the reprisal, have been paid to me;

Pay an amount to me equal to any expenses and any other financial losses that I have incurred as a direct result of the reprisal;

Cease an activity that constitutes the reprisal;

Rectify a situation resulting from the reprisal;

Do or refrain from doing anything in order to remedy any consequence of the reprisal.

ATTACH: (.pdf electronic format preferred)

Form A

Statement describing the disclosure, the reprisal, and how the reprisal and how relates to disclosure

Name:

Date:

Title:

Signature