



Policy on Duplicate or Multiple Reprisal Complaints

1 Application

The *Policy on Duplicate or Multiple Reprisal Complaints* (Policy) applies to the Public Sector Integrity Commissioner and to all employees of the Office of the Public Sector Integrity Commissioner of Canada (the Office).

2 Context

Under the *Public Servants Disclosure Protection Act* (the Act), reprisal complaints must be dealt with as expeditiously as possible, and the Commissioner must decide whether to deal with a complaint within 15 days after it was filed in an acceptable form (See **Appendix A** for what constitutes an acceptable complaint).

The Federal Court of Appeal has held that “the Act promotes expeditiousness in the complaints and resolution process in furtherance of a general purpose to denounce and punish wrongdoing quickly in order to maintain public confidence in the integrity of the public service”. The Court further held that “this benefits the public, victims of reprisal and their managers, who all are served by a timely and effective process to redress complaints of reprisal” and that “the Act is not meant to promote investigations delving back into historic allegations”. “Rather, complaints are to be reported and addressed within a short timeframe”.¹

In addition, the Federal Court of Canada has held that a person who makes submissions to the Commissioner has a duty to provide a “*clear and cogent narrative*” and that it is “not the responsibility of this Office to examine voluminous information and documents to identify relevant information”.²

Furthermore, this Policy underscores that the Commissioner’s decisions on reprisals are final. Subsection 51.2 of the Act provides that a person affected by the Commissioner’s decision may make an application to the Federal Court of Canada for a judicial review.

¹ *Gupta v. Canada (Attorney General)*, 2016 FCA 50 (CanLII), par. 10

² *Dempsey v. Canada (Attorney General)*, 2025 FC 245, par. 53. The FC decision in *Dempsey* is under appeal to the Federal Court of Appeal. Although the *Dempsey* decision concerns a disclosure of wrongdoing, its rationale can also be applied to the handling of reprisal complaints.



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3 Policy Statement

The objectives of this policy are as follows:

- Establish a clear and consistent approach for managing duplicate or multiple reprisal complaints of a similar nature and filed by the same complainant;
- Ensure efficiency expeditiousness and finality in the delivery of a decision on whether to deal with a reprisal complaint under subsection 19.4(1) of the Act; and
- Prevent redundancy in the issuance of the Commissioner's decisions on the same subject-matter to the same complainant.

4 Policy Requirements

4.1 Requirements

Handling of complaints during the initial review period:

- Once this Office has determined that a reprisal complaint has been filed in a form deemed acceptable and that the period of 15 days to decide whether to deal with a complaint pursuant to subsection 19.4 (1) of the Act (initial review period) has started:
 - The Office will **not** accept any additional reprisal complaints from the same complainant concerning the same subject-matter during this period.
 - The Office will generally **not** permit amendments to the accepted complaint or the submission of new facts by the complainant during the 15-day review period, particularly where such changes would impede or delay the review process.
 - Notwithstanding the above, the Office may allow amendments to the complaint on an exceptional basis, for the purpose of clarifying the complaint or if the new information was not known and could not reasonably have been known at the time of the initial filing.

Relevance and scope of submissions:

- The Office may decline to consider submissions that are excessively voluminous or not relevant to the substance of the reprisal complaint.

Subsequent complaints on the same allegations:

- Once the Commissioner has issued a decision on a complaint of reprisal pursuant to subsection 19.4(1) of the Act, the Commissioner will **not render new**



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decisions on any subsequent reprisal complaints from the same complainant that raise substantially the same allegations.

4.2 Process

Complaints filed during the initial review period:

- If a new complaint containing substantially the same allegations is filed while the original complaint is still under review during the period of 15 days under subsection 19.1(4) of the Act, it will be considered as a duplicate or an attempted amendment and may be rejected on the basis that it has not been filed in a form acceptable to the Commissioner under subsection 19.1(1) of the Act.
- The Commissioner's Office will inform the complainant that their subsequent complaint has not been filed in a form acceptable to the Commissioner as required under subsection 19.1(1) of the Act and **will not be processed**.

Complaints addressed in a previous decision:

- If the Commissioner determines that the allegations contained in a new complaint from the same complainant are substantially the same as those made in a previous complaint that was the subject of a decision and do not present any new allegations or material facts, the Commissioner may close the new complaint on the basis that the subject-matter of the complaint has already been addressed in a prior decision.

5 Effective Date

This policy is effective as of June 18, 2025.



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APPENDIX A – Filing a reprisal complaint under subsection 19.1(1) of the Act

A reprisal complaint is not filed with the Office of the Public Sector Integrity Commissioner until it is in a form acceptable to the Commissioner in accordance with subsection 19.1(1) of the Act. To be deemed to have been filed in a form acceptable to the Commissioner, a reprisal complaint must contain the following:

- **Identification of the Complainant (and its Representative if applicable)**
 - Full name and contact information of the individual submitting the complaint.
- **Employment Information**
 - The complainant's current or former position in the federal public sector, including department or agency.
- **Details of the Reprisal**
 - Description of the alleged reprisal, including:
 - ✓ What happened,
 - ✓ When and where it occurred,
 - ✓ Who was involved.
- **Supporting Documentation** (if available)
 - Any documents, emails, or other materials that support the complaint.
- **Use of Form**
 - The reprisal complaint form available on the PSIC website must be completed and submitted. The Office may accept reprisal complaints in alternative formats where accommodations are warranted.
 - The submission of incomplete complaint forms that references or hyperlinks to other documents, websites or attachments, is not in a form acceptable to the Commissioner.