

WHISTLEBLOWER PROTECTION IN LABOUR STANDARDS LEGISLATION

(Provision of information not related to the administration or enforcement of labour laws)

Jurisdictions	Application	Protection
New Brunswick	All employees covered by the <i>Employment Standards Act</i> ¹ .	An employer is prohibited from dismissing, suspending, laying off or otherwise penalizing, or discriminating against, an employee if the reason for this action is related in any way to the giving of information or evidence by the employee against the employer with respect to the alleged violation of a New Brunswick or federal Act or regulation in the conduct of its business.
Saskatchewan	All employees covered by the <i>Labour Standards Act</i> ¹ . The law specifies that the provisions on the protection of whistleblowers do not apply to an employee whose actions are vexatious.	An employer is prohibited from discharging or threatening to discharge, taking any reprisal against or discriminating against an employee who reported, or proposed to report, an alleged illegal activity to a lawful authority ² , or who testified or could testify in an investigation or proceeding conducted under a Saskatchewan or federal Act.

Labour Law Analysis; International and Intergovernmental Labour Affairs
 Labour Branch; Human Resources and Skills Development Canada
 July 1, 2005

¹ This includes provincial public servants. Public servants are also covered by whistleblower protection legislation in Nova Scotia where the *Civil Service Disclosure of Wrongdoing Regulations* under the *Civil Service Act* provide a procedure for the disclosure of wrongdoings in the civil service and protect employees against reprisals. In addition, Part IV of the Ontario *Public Service Act* deals with whistleblower protection for provincial government employees; however, these provisions, which were inserted into that Act in 1993, have not been proclaimed into force.

² The term "lawful authority" is defined as any police or law enforcement agency with respect to an offence within its power to investigate; any person whose duties include the enforcement of federal or provincial law with respect to an offence within his/her power to investigate; or any person directly or indirectly responsible for supervising the employee.