

Standing Committee on Resource Stewardship

Final Report – Review of the *Public Interest Disclosure (Whistleblower Protection) Act*

Thirty-First Legislature
Second Session
March 2026



Standing Committee on Resource Stewardship
3rd Floor, Queen Elizabeth II Building
9820 – 107 Street
Edmonton AB
T5K 1E7 587.404.3735
rsccommittee.admin@assembly.ab.ca



STANDING COMMITTEE ON RESOURCE STEWARDSHIP

March 2026

**To the Honourable Ric McIver
Speaker of the Legislative Assembly
of the Province of Alberta**

I have the honour of submitting, on behalf of the Standing Committee on Resource Stewardship, the Committee's final report on its review of the *Public Interest Disclosure (Whistleblower Protection) Act*, to the Legislative Assembly of Alberta.

Sincerely,

(original signed)

Nolan Dyck, MLA
Chair, Standing Committee on Resource Stewardship

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**MEMBERS OF THE STANDING COMMITTEE ON RESOURCE STEWARDSHIP
31st Legislature**

Nolan B. Dyck, MLA*
Chair
Grande Prairie (UC)

Heather Sweet, MLA
Deputy Chair
Edmonton-Manning (NDP)

Nagwan Al-Guneid, MLA
Calgary-Glenmore (NDP)

Hon. Jackie Armstrong-Homeniuk, MLA
Fort Saskatchewan-Vegreville (UC)

Hon. Andrew Boitchenko, MLA†
Drayton Valley-Devon (UC)

Jodi Calahoo Stonehouse, MLA
Edmonton-Rutherford (NDP)

Scott J. Cyr, MLA‡
Bonnyville-Cold Lake-St. Paul (UC)

Hon. David Eggen, MLA††
Edmonton-North West (NDP)

Hon. Grant R. Hunter, MLA§
Taber-Warner (UC)

Nathan Ip, MLA‡‡
Edmonton-South West (NDP)

Chelsae Petrovic, MLA**
Livingstone-Macleod (UC)

Garth Rowswell, MLA§§
Vermilion-Lloydminster-Wainwright (UC)

Tany Yao, MLA
Fort McMurray-Wood Buffalo (UC)

Substitutions Pursuant to Standing Order 56(2.1-2.4):

Brooks Arcand-Paul, MLA***
Edmonton-West Henday (NDP)

Scott J. Cyr, MLA†††
Bonnyville-Cold Lake-St. Paul (UC)

Hon. Sarah Hoffman, MLA‡‡‡
Edmonton-Glenora (NDP)

Jacqueline Lovely, MLA§§§
Camrose (UC)

Brandon G. Lundy, MLA****
Leduc-Beaumont (UC)

Luanne Metz, MLA††††
Calgary-Varsity (NDP)

Chelsae Petrovic, MLA‡‡‡‡
Livingstone-Macleod (UC)

Jason Stephan, MLA§§§§
Red Deer-South (UC)

* Chair of the Committee from October 30, 2025, to present.

† Member of the Committee from February 26, 2025, until October 30, 2025.

‡ Member of the Committee from October 30, 2025, to present.

§ Member of the Committee from October 30, 2023, until October 30, 2025.

** Member of the Committee from October 30, 2025, to present.

†† Member of the Committee from February 28, 2024, until October 30, 2025.

‡‡ Member of the Committee from October 30, 2025, to present.

§§ Chair of the Committee from October 30, 2023, until October 30, 2025.

*** Substitute for Jodi Calahoo Stonehouse on January 19, 2026.

††† Substitute for Hon. Andrew Boitchenko on June 27, 2025, and September 16, 2025.

‡‡‡ Substitute for Hon. David Eggen on September 16, 2025

§§§ Substitute for Tany Yao on September 16, 2025.

**** Substitute for Hon. Jackie Armstrong-Homeniuk on September 16, 2025.

†††† Substitute for Nagwan Al-Guneid on September 16, 2025.

‡‡‡‡ Substitute for Hon. Grant R. Hunter on June 27, 2025, and September 16, 2025.

§§§§ Substitute for Tany Yao on November 24, 2025.

Also in Attendance:

Tara Sawyer, MLA*
Olds-Didsbury-Three Hills (UC)

* Attended the Committee's meeting on February 17, 2026.

1.0 EXECUTIVE SUMMARY

During its deliberations on February 17, 2026, the Standing Committee on Resource Stewardship (the “Committee”) made the following 13 recommendations pertaining to its review of the *Public Interest Disclosure (Whistleblower Protection) Act* (the “Act”):

Definitions of Disclosure, Unethical Behaviour, Wrongdoing, and Reprisal

1. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to
 - (a) clarify and expand the scope of the definitions of key terms, including “disclosure,” “wrongdoing,” “unethical behaviour” and “reprisal,” and
 - (b) in respect of the definition of wrongdoing, include unethical behaviour, systemic misconduct, and institutional integrity failures that pose a substantial risk to the public interest.

Municipalities

2. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to expand the application of the Act to municipalities.

Post-secondary Institutions and Students

3. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to
 - (a) expand its application to include all private post-secondary institutions that receive public funding, and
 - (b) extend protections to students of post-secondary institutions to which the Act applies who disclose wrongdoing in academic, research or practicum settings.

Prescribed Service Providers and Subsidiary Health Corporations

4. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to expand the application of the Act to include the following:
 - (a) continuing care home operators;
 - (b) supportive living accommodation operators;
 - (c) all contracted service providers of a department, public entity or office;
 - (d) subsidiary health corporations within the meaning of the *Provincial Health Agencies Act*;
 - (e) any other prescribed service provider.

Contractors, Temporary Staff, Interns, and Volunteers

5. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to include contractors, temporary staff, interns and volunteers in the definition of an employee.

Extend Protection against Reprisals

6. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to

(a) extend protections against reprisals to any person, including former employees and persons suspected of being whistleblowers or witnesses, and

(b) expand the definition of reprisal to include retaliatory actions that are not employment related.

Protection from Civil Liability

7. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to protect employees who make a disclosure from civil liability relating to that disclosure, except if the disclosure is made in bad faith.

Strengthen Confidentiality Provisions

8. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to
 - (a) explicitly require all persons to keep confidential the identity of whistleblowers, witnesses and persons subject to investigation, and
 - (b) make it an offence, except in prescribed circumstances, to disclose information that could reasonably reveal those identities.

Interim Relief from Reprisal

9. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to establish a process for employees to obtain interim relief from reprisals while an investigation into a complaint of a reprisal is ongoing.

Training and Education

10. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to include provisions that require education or training to be completed by designated officers and employees, that includes education or training on the rights and reporting processes under the Act.

Replace the Standard of Good Faith with a Standard of Reasonable Belief

11. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to replace the standard of good faith in respect of disclosures of wrongdoing and requests for advice with a standard of reasonable belief.

Collection and Reporting of Data on the Operation of the Act

12. that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to require the Public Interest Commissioner to identify and collect additional data on the operation of the Act and prepare a report to be tabled in the Assembly annually.

Timeline to Implement Recommendations

13. that the amendments recommended by the Committee come into force no later than three years from the date of this report.

2.0 COMMITTEE MANDATE

Pursuant to Government Motion 73, agreed to on May 13, 2025, the Assembly referred the *Public Interest Disclosure (Whistleblower Protection) Act* (the “Act”) to the Standing Committee on Resource Stewardship. The Committee was deemed the special committee of the Assembly for the purpose of conducting a comprehensive review, pursuant to section 37 of the Act.

Section 37 of the Act mandates the scope of the Committee’s review with respect to the *Public Interest Disclosure (Whistleblower Protection) Act*:

Within 2 years after this Act comes into force and every 5 years after that, a special committee established by the Legislative Assembly must begin a comprehensive review of this Act and must submit to the Legislative Assembly, within one year after beginning the review, a report that includes any amendments recommended by the committee.

The Committee began its review of the Act on June 27, 2025.

3.0 BACKGROUND

The *Public Interest Disclosure (Whistleblower Protection) Act* facilitates the disclosure and investigation of wrongdoing and protects employees who make those disclosures from reprisal. The Act applies to departments, offices of the Legislature, and the public entities prescribed in the regulations. The *Public Interest Disclosure (Whistleblower Protection) Act* was enacted in 2012, and all parts were proclaimed into force by June 1, 2013.

The Act’s first mandatory review was conducted by the Select Special Ethics and Accountability Committee, beginning in September 2015. The final report of the Committee included 21 recommendations and was tabled in the Assembly in September 2016. The Assembly amended the Act in 2017 and 2018.

The Standing Committee on Resource Stewardship commenced the second review of the Act in July 2020. The final report of the Committee included 10 recommendations and was tabled in the Assembly in June 2021. The Assembly made no changes to the Act following this review.

This report is the result of the third mandatory review of the Act. This report contains the recommendations that the Committee agreed to during its deliberations. For a complete record of the Committee’s deliberations please consult the transcripts of the Committee’s meetings, which are posted online at www.assembly.ab.ca

4.0 ACKNOWLEDGEMENTS

The Committee wishes to acknowledge the useful contributions of the individuals and organizations who provided written submissions and/or appeared before the Committee.

The Committee also wishes to acknowledge the valuable assistance of the technical support staff and Legislative Assembly Office support staff.

Technical Support Staff

Ministry of Justice

Ms Kelly Hillier, Barrister and Solicitor

Office of the Public Interest Commissioner

Mr. Kevin Brezinski, Public Interest Commissioner

Mr. Chris Ewaniuk, Manager of Investigations

Ms Ioana Rosu, Legal Counsel

Mr. Rodney Fong, KC, General Counsel

Legislative Assembly Office Support Staff

Ms Shannon Dean, KC, Clerk

Mr. Trafton Koenig, Law Clerk

Ms Vani Govindarajan, Parliamentary Counsel

Dr. Philip Massolin, Clerk Assistant and Executive Director of Parliamentary Services

Ms Nancy Robert, Clerk of *Journals* and Committees

Mr. Abdul Aziz Bhurgri, Research Officer

Dr. Rachel McGraw, Research Officer

Mr. Warren Huffman, Committee Clerk

Ms Jody Rempel, Committee Clerk

Mr. Aaron Roth, Committee Clerk

Ms Rhonda Sorensen, Manager of Corporate Communications

Ms Christina Steenbergen, Supervisor of Communications Services

Ms Amanda LeBlanc, Managing Editor of *Hansard* and Manager of Venue Services

Hansard staff

Security staff

5.0 CONSULTATION AND REVIEW PROCESS

The Committee's review of the *Public Interest Disclosure (Whistleblower Protection) Act* involved a series of meetings that were open to the public, broadcast on Alberta Assembly TV, and video- and audio-streamed live on the Legislative Assembly website. These meetings took place on June 27, 2025, September 16, 2025, November 24, 2025, January 19, 2026, and February 17, 2026.

During the first meeting on June 27, 2025, the Committee received a technical briefing on the Act from the Ministry of Justice and the Office of the Public Interest Commissioner. The Committee also directed the Legislative Assembly Office to prepare a draft stakeholder list and a cross-jurisdictional scan of comparative whistleblower legislation from across Canada for its review.

On September 16, 2025, the Committee agreed to invite stakeholders and members of the public to make written submissions with respect to the Act until October 31, 2025. The invited stakeholders included Government of Alberta ministries, Members of the Legislative Assembly of Alberta, the Office of the Public Interest Commissioner, public agencies, post-secondary institutions, labour unions, non-profits, non-partisan research organizations, and associations representing municipal bodies. The Committee advertised for written submissions from the public through the Legislative Assembly's social media platforms and on the Assembly's website. The Committee received 13 written submissions from stakeholders. The names and affiliations of those who made written submissions are listed in Appendix A of this report.

On November 24, 2025, the Committee met to discuss the written submissions made to the Committee as well as the documents prepared by the Legislative Assembly Office, including the summary of submissions and the cross-jurisdictional comparison of whistleblower legislation. The Committee also agreed to invite select stakeholders to make oral presentations to the Committee at its subsequent meeting.

On January 19, 2026, the Committee met with stakeholders to hear oral submissions. The names of those who made oral submissions to the Committee are listed in Appendix B of this report. The Committee also directed the Legislative Assembly Office to prepare a document summarizing the issues and proposals identified by stakeholders in written and oral submissions to assist the Committee to prepare for deliberations.

The Committee held its final meeting on February 17, 2026, to deliberate on the issues and proposals arising from the written submissions and oral presentations. Representatives from the Office of the Public Interest Commissioner and Ministry of Justice attended the meeting and supported the Committee by providing technical expertise on the Act.

This report is the result of the Committee's deliberations and contains its recommendations in relation to its review of the *Public Interest Disclosure (Whistleblower Protection) Act*.

6.0 COMMITTEE RECOMMENDATIONS

6.1 Definitions of Disclosure, Unethical Behaviour, Wrongdoing, and Reprisal

Key terms such as disclosure, wrongdoing, and reprisal are defined in section 1 of the Act.

In its submission to the Committee, the Red Deer Polytechnic (RDP) argued that the current definition of “wrongdoing” is limited, as it only addresses actions that are illegal, dangerous, or constitute gross mismanagement. According to RDP, the definition of “wrongdoing” should be expanded and clarified to include systemic misconduct that compromises institutional integrity or systemic harassment or psychological harm. The College of Alberta Superintendents also recommended that the definitions of “wrongdoing,” “reprisal,” and “disclosure” be clearly defined so that they are easily understood and applied consistently. The Committee agreed that clear and comprehensive definitions are essential to the correct interpretation of the Act.

During its deliberations, the Committee also discussed that unethical behaviour often leads to more serious acts of wrongdoing and should therefore be included in the Act. Further, the Committee noted that including the term “unethical behaviour” in the Act would empower employees with the ability to report issues before more serious instances of wrongdoing occur, thereby supporting a strong culture of accountability and integrity.

Accordingly, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to

(a) clarify and expand the scope of the definitions of key terms, including “disclosure,” “wrongdoing,” “unethical behaviour” and “reprisal,” and

(b) in respect of the definition of wrongdoing, include unethical behaviour, systemic misconduct, and institutional integrity failures that pose a substantial risk to the public interest.

6.2 Municipalities

Currently, the Act does not apply to municipalities.

In its submission to the Committee, the Calgary & District Labour Council (CDLC) recommended that municipalities be brought under the scope of the Act.

During its deliberations, the Committee agreed with the recommendation and noted that extending the Act to municipalities would promote consistency and fairness across the broader public sector by ensuring similar whistleblower protections exist at both the provincial and municipal levels. The Committee observed that municipal employees are responsible for managing significant public resources and delivering essential services; therefore, they should be afforded clear and consistent legislative protections when disclosing wrongdoing.

In the Committee’s view, expanding the Act to cover municipalities would reinforce accountability and transparency within local governments, enhance public trust, and ensure that a unified and consistent set of rules applies wherever public funds are involved.

The Committee therefore recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to expand the application of the Act to municipalities.

6.3 Post-secondary Institutions and Students

Currently, the Act only applies to post-secondary institutions that fall under the definition of a provincial corporation as defined by the *Financial Administration Act*. The Act also does not extend protection from reprisal to students; it currently only applies to employees.

In its submission to the Committee, the Alberta Criminal Code Review Board (ACCRB) recommended that the Act apply to all private post-secondary institutions that receive Government funding. Red Deer Polytechnic (RDP) also recommended extending protection to students who disclose wrongdoing in their academic, research, or practicum activities during their post-secondary training.

According to RDP, students engaged in academic, research or practicum activities frequently take on roles similar to those of employees. The RDP further argued that extending whistleblower protections to students would help reinforce integrity and responsibility within public post-secondary institutions and promote a safe, respectful, and inclusive educational environment.

During its deliberations, the Committee agreed that public funding entails public accountability. According to the Committee, post-secondary institutions that receive Government funding should be covered by the Act. The Committee also acknowledged that students, due to the inherent power imbalance in academic settings, may be especially vulnerable when disclosing wrongdoing. Extending whistleblower protections to students would help address this imbalance and protect them from reprisals.

For these reasons, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to

(a) expand its application to include all private post-secondary institutions that receive public funding, and

(b) extend protections to students of post-secondary institutions to which the Act applies who disclose wrongdoing in academic, research or practicum settings.

6.4 Prescribed Service Providers and Subsidiary Health Corporations

Currently, the Act applies to prescribed service providers as defined in the *Public Interest Disclosure (Whistleblower Protection) Regulation* (the “Regulation”). Section 4.2 of the Act allows for a regulation to specify who qualifies as a prescribed service provider; however, no regulation has been enacted to date that specifies prescribed service providers. The Act also applies to three subsidiary health corporations identified in section 2(b) of the Regulation.

In his submission to the Committee, the Public Interest Commissioner noted that many privately owned organizations that deliver Government services, such as continuing care home operators and supportive living accommodation operators, are not covered by the Act. According to the Commissioner, some of these private and non-profit operators manage provincially owned facilities, receive grants from the Ministry of Assisted Living and Social Services, and are regulated management bodies under the *Alberta Housing Act*. The Commissioner noted that these facilities serve a vulnerable population and receive significant public funding and should therefore be included in a prescribed service provider regulation.

The United Nurses of Alberta (UNA), in its submission to the Committee, supported the recommendation of the Commissioner to enact a prescribed service provider regulation and suggested expanding the Act’s scope to include all contracted service providers of a public entity. According to UNA, expanding the Act’s scope would protect vulnerable patients and their families, strengthen protection for whistleblowers, and improve the Act’s overall functionality.

The Commissioner also noted that there have been name changes to subsidiary health corporations since the Regulation came into force, but that it has not been amended to reflect these changes. For instance, the Commissioner observed that Calgary Laboratory Services Ltd. was listed in the Regulation; however, this organization was replaced by Alberta Public Laboratory Services and later by Alberta Precision Laboratory Services. The Commissioner recommended including all subsidiary corporations under the Act, as this would guarantee equal protection for all employees and prevent gaps when names are changed or new corporations are created.

The Committee agreed with the Commissioner and the UNA, noting that the Alberta healthcare system operates through a combination of subsidiaries, corporations, and prescribed service providers that deliver publicly funded healthcare services. The Committee further reasoned that expanding the Act's application to be comprehensive of the full scope of the modern and complex healthcare system provides an important accountability mechanism.

Consequently, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to expand the application of the Act to include the following:

- (a) continuing care home operators;**
- (b) supportive living accommodation operators;**
- (c) all contracted service providers of a department, public entity or office;**
- (d) subsidiary health corporations within the meaning of the Provincial Health Agencies Act;**
- (e) any other prescribed service provider.**

6.5 Contractors, Temporary Staff, Interns, and Volunteers

Currently, the Act extends protections to employees. The term "employees" includes individuals who are presently employed, those who have experienced reprisals and are no longer employed, as well as those who hold or have previously held appointments as medical or professional staff and have suffered reprisals.

In his submission to the Committee, the Public Interest Commissioner noted that reprisal protections do not extend to former employees, volunteers, students, contractors, or other witnesses. The Commissioner emphasized that employees are often more willing to report misconduct after leaving their jobs; however, reprisal protections end once they leave their positions. To resolve this issue, the Commissioner recommended that the Act protect all categories of person who make a disclosure of wrongdoing or who cooperate in investigations under the Act from reprisal.

In its submission, the Centre for Free Expression (CFE) identified the lack of protection for temporary staff, job applicants, and others not considered full employees as a significant weakness in the Act.

During deliberations, the Committee noted that public-sector workplaces increasingly rely on contractors, temporary staff, and interns, and that legislation needs to reflect this reality to avoid creating gaps in accountability. The Committee suggested that individuals in non-permanent roles are often among the first to identify operational issues, and that extending protections to them helps encourage early reporting and reduces the risk of issues escalating. The Committee agreed that protection should not depend on whether an individual is on the payroll, working under contract, or serving in a volunteer capacity.

The Committee therefore recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to include contractors, temporary staff, interns and volunteers in the definition of an employee.

6.6 Extend Protection against Reprisals

Currently, the Act does not extend protection from reprisal to former employees or those who are suspected of being whistleblowers or witnesses.

According to the Public Interest Commissioner, his Office has encountered situations where employees were wrongly suspected of either making a disclosure of wrongdoing or participating in an investigation. The Commissioner cautioned that, if these individuals were subject to retaliation, the Act would offer them no protection. The Commissioner also highlighted that jurisdictions such as Prince Edward Island define reprisal to include actions taken against people suspected of making a disclosure or participating in an investigation.

In its deliberations, the Committee noted that reprisals could take many forms and were often difficult to prove, especially when they occurred outside the workplace. The Committee agreed that it is essential to provide protection for both current and former employees against retaliatory actions that are not directly related to their employment.

The Committee therefore recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to

(a) extend protections against reprisals to any person, including former employees and persons suspected of being whistleblowers or witnesses, and

(b) expand the definition of reprisal to include retaliatory actions that are not employment related.

6.7 Protection from Civil Liability

Currently, individuals are protected under the Act from civil liability only when they are complying with a requirement of the Act; however, this protection does not apply if the individual is found to have acted in bad faith.

In his submission to the Committee, the Commissioner noted that the fear of civil liability is a concern for individuals who make a disclosure of wrongdoing or participate in an investigation under the Act. According to the Commissioner, this fear can outweigh the desire to report misconduct, compromising the effectiveness of the Act. The Commissioner also cited a case in which 10 witnesses withdrew from an investigation of the Commissioner because they were concerned that the alleged wrongdoer could take civil action against them if their identities became known.

In its deliberations, the Committee acknowledged that the threat of financial loss or exposure to civil litigation could significantly discourage individuals from reporting wrongdoing. To mitigate this risk and encourage disclosures, the Committee agreed that employees who come forward should be protected from civil liability. The Committee also agreed on the need to include a bad faith provision to ensure that such protections do not extend to false or malicious claims, thereby striking a balanced approach.

Accordingly, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to protect employees who make a disclosure from civil liability relating to that disclosure, except if the disclosure is made in bad faith.

6.8 Strengthen Confidentiality Provisions

In his submission to the Committee, the Commissioner noted that there is a need to strengthen the current provisions in the Act related to confidentiality. According to the Commissioner, the Act implies confidentiality but does not explicitly require it. The Commissioner explained that provisions such as section 5(2)(g) and (h) of the Act require public entities to establish procedures that respect the confidentiality of information collected under the Act but that the Act does not explicitly specify similar obligations for the Commissioner's Office.

The Commissioner also noted an inconsistency in the existing provisions regarding confidentiality: while sections 43(1) and 44(7) obligate the Commissioner and employees of his Office to swear an oath not to disclose information obtained during investigations, there is no provision prohibiting third parties from revealing the identities of individuals involved in these investigations. According to the Commissioner, this gap in the legislation undermines the effectiveness of current confidentiality protections and highlights the need for more comprehensive safeguards.

The Centre for Free Expression (CFE) also noted in its submission to the Committee that confidentiality provisions are one of the most important forms of interim relief and that the Act should allow for sanctions against individuals who violate a whistleblower's confidentiality or attempt to reveal their identity.

In its deliberations, the Committee agreed with the rationale of the Commissioner and the CFE that confidentiality protections are the foundation of the functionality of the whistleblower regime. The Committee noted that confidentiality was the primary concern of stakeholders in their submissions, and it discussed the importance of safeguarding people when they come forward so that they are not fearful that their names will be revealed during the disclosure process.

The Committee therefore recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to

(a) explicitly require all persons to keep confidential the identity of whistleblowers, witnesses and persons subject to investigation, and

(b) make it an offence, except in prescribed circumstances, to disclose information that could reasonably reveal those identities.

6.9 Interim Relief from Reprisal

In its submission to the Committee, the Centre for Free Expression (CFE) noted that currently under the Act there is no interim relief available for those that may be suffering from a reprisal while an investigation of wrongdoing or reprisal is ongoing and that they must wait until the matter is before the Alberta Labour Relations Board to receive a ruling regarding allegations of reprisal. The CFE also noted that if a case is referred to the police, there are currently no protections from reprisal provided for in the Act while the external investigation is ongoing.

The Committee agreed that the current lack of interim relief is concerning because it leaves whistleblowers vulnerable to acts of reprisal by implicated officials while investigations are ongoing, which can potentially take years to complete.

For this reason, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to establish a process for employees to obtain interim relief from reprisals while an investigation into a complaint of a reprisal is ongoing.

6.10 Training and Education

In its submission to the Committee, the College of Alberta School Superintendents (CASS) recommended that mandatory training be provided that is specific to the operational realities of the public school system. The United Nurses of Alberta (UNA) also pointed out that a good ethical climate and organizational trust are dependent upon leaders and employees receiving appropriate training. The UNA also pointed to the Public Interest Commissioner's survey, that found that over two thirds of public sector employees were not aware of the existence of his Office and over half were not sure of how to report wrongdoing within their own workplaces.

Both the Calgary & District Labour Council and Red Deer Polytechnic also pointed to the need for education or training to increase employees' awareness of their rights and the process to disclose wrongdoing under the Act.

During deliberations, the Committee discussed the significant gaps in employees' awareness of the Act itself, of their rights under the Act, and of the process to make a disclosure under the Act. The Committee agreed that employees should know their rights and should know how to go about making a disclosure of wrongdoing under the Act.

Consequently, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to include provisions that require education or training to be completed by designated officers and employees, that includes education or training on the rights and reporting processes under the Act.

6.11 Replace the Standard of Good Faith with a Standard of Reasonable Belief

The Public Interest Commissioner and the Centre for Free Expression (CFE) recommended to the Committee that the term "good faith" should be removed from the Act because it is subjective, lacks a clear legal definition, and shifts the focus of an investigation away from the facts and onto the motivation of the person making the disclosure. The Commissioner also noted that good faith is presumed unless there is clear evidence to the contrary. Both the Commissioner and the CFE suggest that instead of "good faith" the Act should contain a "reasonable belief" provision, which asks whether the person making the disclosure reasonably believed that the matter being reported constitutes wrongdoing and whether a neutral third party would come to the same conclusion.

During its deliberations, the Committee agreed with the Commissioner and the CFE, noting that replacing "good faith" with a standard of "reasonable belief" provides greater clarity and objectivity in assessing disclosures because it focuses on whether a person had the defensible objective basis for raising a concern rather than attempting to determine their subjective intent or motivation. The Committee also noted that good faith requirements could discourage disclosures by creating uncertainty about how intent could be interpreted.

Accordingly, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to replace the standard of good faith in respect of disclosures of wrongdoing and requests for advice with a standard of reasonable belief.

6.12 Collection and Reporting of Data on the Operation of the Act

In its submission to the Committee, the Centre for Free Expression (CFE) noted that while the Act is required to be reviewed every five years, this review is not currently supported by systematic and consistent data collection or performance metrics. The CFE noted that this information could inform both

the public and legislators about whether the whistleblower regime in Alberta is working effectively and where gaps or problems may exist.

The Public Interest Commissioner also noted in his submission that although the Act requires designated officers to provide an annual report to the Commissioner on disclosures received and how they were handled, the scope of this information is limited. Additionally, the Commissioner pointed out that there is currently no unified system for collecting and analyzing data that would enable a comprehensive assessment of the use and efficacy of the Act.

In its deliberations, the Committee agreed with the CFE and the Commissioner and noted that regular annual data collection and reporting would give a clearer picture of how the Act is functioning.

Accordingly, the Committee recommends

that the *Public Interest Disclosure (Whistleblower Protection) Act* be amended to require the Public Interest Commissioner to identify and collect additional data on the operation of the Act and prepare a report to be tabled in the Assembly annually.

6.13 Timeline to Implement Recommendations

During its final meeting, the Committee discussed the previous review of the Act completed in 2021. At that time, 10 recommendations were made by the Committee; however, the Government did not implement any of the recommendations from the 2021 review. The Committee also discussed that it is making many of the same recommendations in this review as in the 2021 review because the same issues continue to exist. Therefore, the Committee reasoned that there is a need to ensure that its recommendations are implemented to address the outstanding issues identified by both the Committee itself and the experts and stakeholders it consulted during the current and previous reviews.

Consequently, the Committee recommends

that the amendments recommended by the Committee come into force no later than three years from the date of this report.

APPENDIX A: WRITTEN SUBMISSIONS TO THE COMMITTEE

List of Written Submissions

Name and Position	Organization
Gerald C. Hawranik, Chairperson	Alberta Criminal Code Review Board
David Keohane, Chief Executive Officer	College of Alberta School Superintendents
Heather Smith, President	United Nurses of Alberta
David Ross, President and Chief Executive Officer	Southern Alberta Institute of Technology
Sean Royer, Chief Executive Officer	Natural Resources Conservation Board
Kevin Brezinski, Public Interest Commissioner	Office of the Public Interest Commissioner
Gillian Barnett, Vice President	Alberta Electric System Operator
Cameron Bowman, Assistant General Counsel and Ethics Officer	ATB Financial
Cristal Glass-Painchaud, Chief Human Resource Officer	Red Deer Polytechnic
David Hutton, Senior Fellow Ian Bron, Senior Fellow	Centre for Free Expression
Clayton Davis, Interim Vice-president, Students, Human Resources and International	Northern Alberta Institute of Technology
Alexander Shevalier, President	Calgary and District Labour Council
Heather Caltagirone, Deputy Minister and Public Service Commissioner	Alberta Public Service Commission

APPENDIX B: ORAL SUBMISSIONS TO THE COMMITTEE

List of Oral Submissions

Name and Position	Organization
David Hutton, Senior Fellow Ian Bron, Senior Fellow	Centre for Free Expression
Donna Lynn Smith, Professional Responsibility Advisor Heather Smith, President	United Nurses of Alberta

APPENDIX C: MINORITY REPORT

Minority Report for the Review of the *Public Interest Disclosure (Whistleblower Protection) Act*

March 5, 2026

Throughout the process of reviewing this legislation, the Committee has heard various opinions and advice on the Act. The review showed that the recommendations of the previous review have not been implemented but continue to stand the test of time as they were re-recommended during the current review. While we appreciate the collaboration between all members of the Committee, there are a couple of areas in which we believe the Act could be strengthened moving forward.

Despite some of the positive changes to the Act that are sure to help many Albertans, one aspect of the Act that continues to fall short is the lack of protection for public healthcare workers in a private facility receiving public dollars. These workers are integral to the system and should not be left out of the scope of protection when they work in privately delivered, publicly funded facilities.

Additionally, the Official Opposition members of the Committee put forward a motion to recommend all amendments recommended by the committee come into force within 2 years from the date of the final report. The Government members amended the motion to extend the timeline by one year, effectively giving the government 3 years to implement recommendations. It is the opinion of the Opposition members that two years is enough time to implement the recommendations made and to ensure that whistleblower protection is strengthened as soon as possible.

However, we recognize that 2 years to implement and operate under these recommendations will put an increased burden on the Office of the Public Interest Commissioner. Given that the recommendations expand the scope of jurisdiction and responsibility of the Commissioner, we would strongly encourage and support the government in providing the Office of the Public Interest Commissioner with the appropriate resources.

These are recommendations we believe will only strengthen the Act and ultimately, benefit all Albertans.

Submitted by:

Heather Sweet, Edmonton-Manning

Nathan Ip, Edmonton-South West

Jodi Calahoo Stonehouse, Edmonton-Rutherford

Nagwan Al-Guneid, Calgary-Glenmore