

# You are protected when you file a complaint with the Office of the Commissioner of Official Languages

Subsection 62(2) of the *Official Languages Act*

When you file a complaint, the *Official Languages Act* provides certain protections. You are protected against threats, intimidation and discrimination, and the Office of the Commissioner's work is protected to make sure that no one can interfere with an investigation.

## You are protected against threats, intimidation and discrimination

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The *Official Languages Act* protects those involved in an investigation against threats, intimidation or discrimination, which are sometimes referred to as "reprisals."

### Are you involved in an investigation?

You are protected against reprisal if:

- you have filed a complaint or intend to do so; or
- you have participated in an investigation or intend to do so—for example, by sending information to the Office of the Commissioner.

### Do you feel threatened, intimidated or discriminated against?

You are experiencing reprisal if, as the result of a complaint, a federal employee does or says something to you that makes you feel threatened, intimidated or discriminated against.

Reprisals can happen verbally, in writing or through actions. Here are some examples:

- You are a member of the public, and a federal institution refuses to provide you with services because you filed a complaint with the Office of the Commissioner of Official Languages.
- You are an employee of a federal institution, and you get an e-mail from a superior threatening you with disciplinary action if you file a complaint with the Office of the Commissioner of Official Languages.
- You are an employee of a federal institution, and you are passed over for promotion as punishment for filing a complaint with the Office of the Commissioner of Official Languages.

### If you believe you are the victim of reprisal, you can file a complaint

When a reprisal complaint is filed, the Office of the Commissioner may decide to investigate, taking into account all circumstances, actions and words (written or spoken) in order to decide whether you could have reasonably believed them to be threats, intimidation or discrimination.

To learn more, read our bulletin on *Investigation into Reprisal*.

## **No one may interfere with the Office of the Commissioner's work**

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If a person or organization refuses to cooperate with an investigation being conducted by the Office of the Commissioner, or if a federal institution refuses to provide access to its files, this interferes with the Office of the Commissioner's work. These actions are referred to as "obstruction." An example of obstruction is delaying an investigation of the Office of the Commissioner by refusing timely access to files.

No one may interfere with the work of the Office of the Commissioner or of anyone acting on its behalf.

### **In case of obstruction, the Office of the Commissioner can launch its own investigation**

If the Office of the Commissioner believes that its work is being obstructed, it can launch an investigation on its own initiative.