

Addressing Misconduct and Wrongdoing for 2023 to 2025 at the Privy Council Office, the Treasury Board of Canada Secretariat and the Department of Finance Canada

August 2025

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Cette publication est également disponible en français :
Traitement des cas d'inconduite et d'actes répréhensibles de 2023 à 2025 au Bureau du Conseil privé, au Secrétariat du Conseil du Trésor du Canada et au ministère des Finances Canada

ISSN 2819-5213

Catalogue number: CP1-37E-PDF

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Message from the Clerk and Deputy Ministers

Dear Colleagues,

We are pleased to present the first annual Addressing Misconduct and Wrongdoing Report for the Privy Council Office (PCO), the Treasury Board of Canada Secretariat (TBS) and the Department of Finance Canada (FIN) as part of our efforts to promote healthy workplaces.

Our ability to deliver excellence depends on all colleagues feeling safe, welcome, included, and respected. In short, all employees should feel like they are part of the team. We must address instances of harassment, violence, misconduct, and wrongdoing head-on, providing corrective measures to restore healthy and functioning workplaces when possible, and disciplinary measures up to and including termination when necessary.

As Central Agencies, we also play an important role in providing leadership and guidance across the public service. We need to hold ourselves to the highest standards of professionalism, accountability, and ethical behaviour.

Importantly, all employees should feel secure and confident in being able to report cases without fear of reprisal. Ombuds Offices in all of the three agencies provide a confidential, impartial, independent and informal space for employees to voice concerns and seek guidance, in a proactive and preventive way to approach conflict resolution and support a healthy and ethical workplace. We have strong mechanisms in place when incidents need to be formally reported, investigated, and addressed.

Throughout the renewed dialogue on values and ethics, we heard from public servants regarding the importance of openness, transparency, and accountability. We must bring our values to life in our daily work: treating colleagues with respect, acting with integrity, and showing good stewardship over human and financial resources. In instances when public servants fall short of these expectations, we must act fairly, promptly, and proportionately to address the situation and support those who have been affected.

Harassment, violence, misconduct and wrongdoing have no place in our work environment. Thank you to everyone who contributes to a safe, healthy, inclusive, and accessible workplace.

Sincerely,

Michael Sabia
Clerk of the Privy Council and Secretary to the Cabinet

Bill Matthews
Secretary of the Treasury Board

Chris Forbes
Deputy Minister of the Department of Finance Canada

Introduction

This report aims to increase transparency about occurrences of harassment, violence, misconduct, and wrongdoing from fiscal years 2023-2024 and 2024-2025 at PCO, TBS, and FIN.

Public servants at PCO, TBS, and FIN have access to a wide range of employee resources to support a psychologically healthy and safe workplace, such as Ombuds Offices, a shared Chief Equity and Inclusion Officer, mental health and wellness resources, conflict resolution services, union representatives, employee networks, the employee assistance program, and secretariats dedicated to advancing inclusion, diversity, equity, anti-racism, and accessibility. These resources are promoted throughout the departments so that employees know where to turn when they need support.

This report focuses on incidents that were addressed through formal human resources channels. It does not report on incidents that were resolved informally through other mechanisms, such as facilitated discussions and informal conflict management services.

A) Harassment and Violence

The Harassment and Violence Program (HVP) team, within the Human Resources team, focuses on preventing harassment and violence in the workplace, and provides impartial information, options and guidance to help employees navigate the process.

Workplace harassment and violence is defined as any action, conduct or comment, including of a sexual nature, that can reasonably be expected to cause offence, humiliation or other physical or psychological injury or illness to an employee, including any prescribed action, conduct or comment.

Examples of harassment include but are not limited to any of the following acts or attempted acts:

- Spreading rumours or gossip about an individual or group.
- Cyber bullying (threatening, spreading rumours or talking negatively about an individual online).
- Threats made over the phone, by email, or through other medium to an employee, including from an (ex) partner or family member.
- Making offensive jokes or remarks.
- Stalking or inappropriately following a person.
- Vandalizing or hiding personal belongings or work equipment.
- Persistently criticizing, undermining, belittling, demeaning or ridiculing a person.
- Public ridicule or discipline.
- Unwelcome physical contact.
- Sexual innuendo/insinuation.
- Unwanted and inappropriate invitations or requests, including of a sexual nature.
- Displaying offensive posters, cartoons, images or other visuals.
- Making aggressive, threatening or rude gestures.

Examples of violence include but are not limited to any of the following acts or attempted acts:

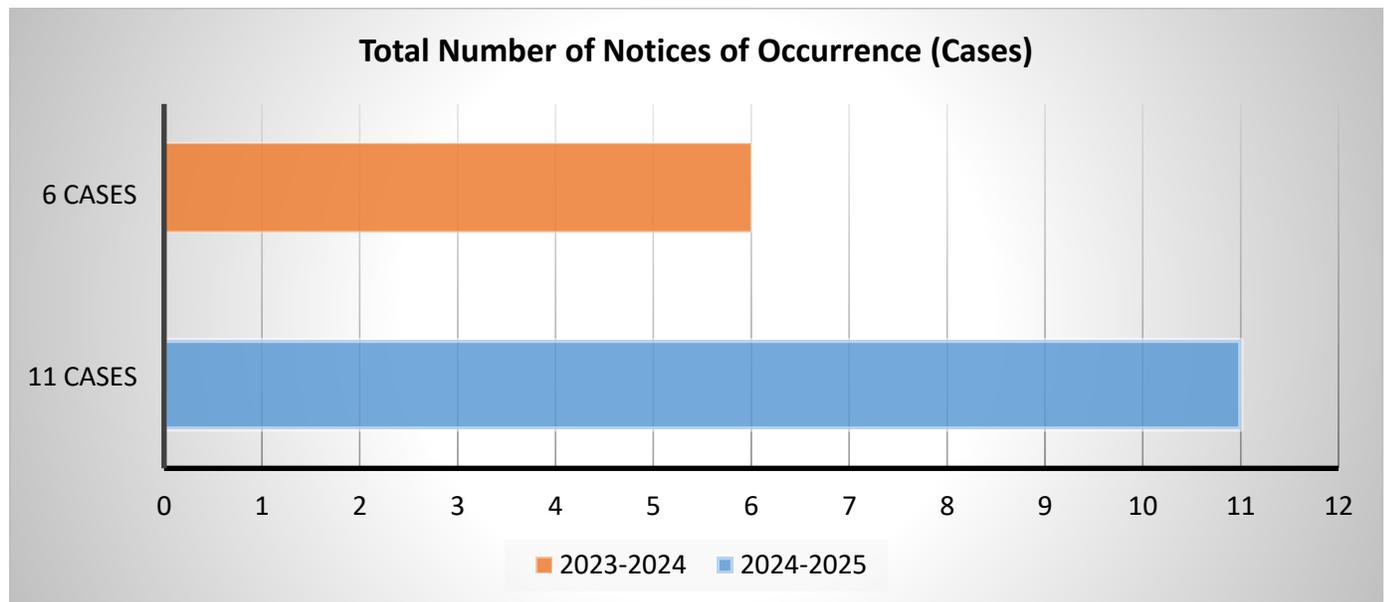
- Verbal threats or intimidation.
- Verbal abuse, including swearing or shouting offensively at a person.
- Contact of a sexual nature.
- Kicking, punching, scratching, biting, squeezing, pinching, battering, hitting or wounding a person in any way.
- Attack with any type of weapon.
- Spitting at a person.

Cases of Harassment and Violence

Employees who experience harassment and violence in the workplace can submit a formal harassment and violence complaint which is referred to as a “notice of occurrence”.

An employee who is the object of an occurrence and who submits a notice of occurrence, is referred to as the “principal party” in the process. The HVP team, referred to as the “designated recipient”, is responsible for receiving the notice of occurrence and managing the process. The notice of occurrence will not only outline the allegations of harassment and violence but also the employee(s) who is allegedly responsible for these allegations, who is referred to as the “responding party”.

The following graph provides statistical information on the total number of notices of occurrence (cases) in fiscal years 2023-2024 and 2024-2025 for all three organizations.



Text version

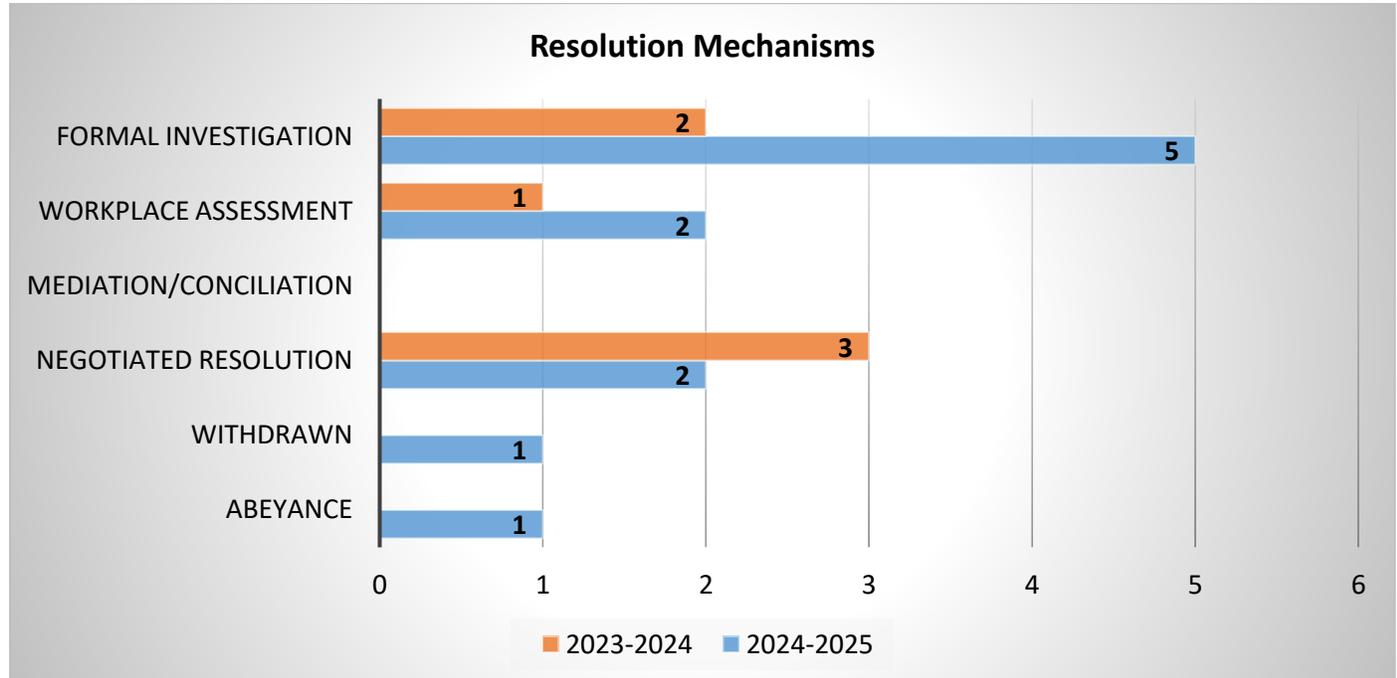
Fiscal Year	Total Number of Notices of Occurrence (Cases)
2023-2024	6
2024-2025	11

Resolution Mechanisms/Statuses

Following the receipt of a notice of occurrence, there are a number of resolution mechanisms/statuses available:

- **Formal investigation:** Investigations are confidential and conducted by qualified impartial third parties. Investigation reports put forth conclusions and recommendations to eliminate or minimize the risk of similar occurrences.
- **Workplace assessment:** Development of an action plan to improve and restore the workplace by identifying risk factors that could result in workplace harassment and violence, identifying the root causes of conflict, and putting in place preventative measures to mitigate occurrences.
- **Mediation/conciliation:** Impartial third-party assistance in reaching a voluntary and confidential agreement or settlement between conflicting parties.
- **Negotiated resolution:** Confidential process undertaken to reach a mutually beneficial resolution between two or more parties involved in a conflict or disagreement through discussion, deliberation, and compromise to resolve differences.
- **Withdrawn:** The principal party makes the decision to retract their notice of occurrence.
- **Abeyance:** Awaiting decision from the principal party on the next steps of the occurrence.

The following graph provides statistical information on the number and types of resolution mechanisms/statuses utilized to address notices of occurrence in fiscal years 2023-2024 and 2024-2025 for all three organizations.



Text version

Resolution Mechanisms/Statuses	Fiscal Year 2023-2024	Fiscal Year 2024-2025
Formal Investigation	2	5
Workplace Assessment	1	2
Mediation/Conciliation	0	0
Negotiated Resolution	3	2
Withdrawn	0	1
Abeyance	0	1

Formal Investigations

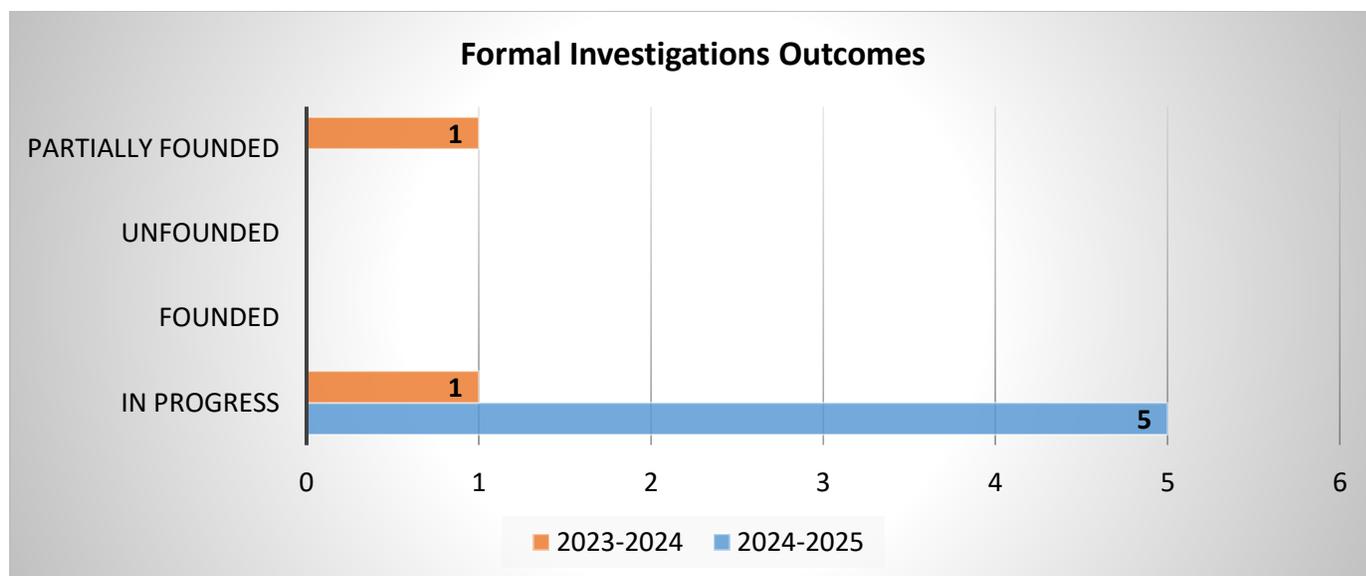
If the principal party chooses to proceed with a formal investigation, the department must provide the responding party with notice that an investigation will be carried out. Subsequently, the department selects an external (third party) investigator from a pre-established list of qualified individuals called the “Registry”.

The Registry is a repository of qualified, independent investigators that can be selected to establish contracts to investigate a notice of occurrence.

Formal investigation outcomes include:

- **Partially founded:** The investigation concluded that some of the allegations met the definition of harassment or violence.
- **Unfounded:** The investigation concluded that the allegation(s) did not meet the definition of harassment or violence.
- **Founded:** The investigation concluded the allegation(s) did meet the definition of harassment or violence.
- **In progress:** The investigation is currently in progress and awaiting a final report.

The following graph provides statistical information on the number of formal investigations conducted by a third-party investigator and their outcomes in fiscal years 2023-2024 and 2024-2025 for all three organizations.



Text version

Formal Investigation Outcomes	Fiscal Year 2023-2024	Fiscal Year 2024-2025
Partially Founded	1	0
Unfounded	0	0
Founded	0	0
In Progress	1	5

The following provides an account of each notice of occurrence in fiscal years 2023-2024 and 2024-2025 for all three organizations:

2023-2024

- The principal party alleged abuse of authority and discrimination by their managers and filed two notices of occurrence. These matters were both resolved through a negotiated resolution.
- The principal party alleged abuse of authority, retaliation, differential treatment, and unfounded accusations by a manager and colleagues. The matter was resolved through a formal investigation; one allegation was substantiated, while five were unsubstantiated.
- The principal party alleges that the manager engaged in a sustained pattern of exclusion and professional undermining. A formal investigation is in progress.
- The principal party alleged abuse of authority and discrimination by their manager. The matter was resolved through a negotiated resolution.
- The principal party alleged abuse of authority by their managers. The matter was resolved through a workplace assessment.

2024-2025

- The principal party alleges abuse of authority and discrimination by their manager. A formal investigation is in progress.
- The principal party alleges abuse of authority and discrimination by their manager. A formal investigation is in progress.
- The principal party alleges abuse of authority and discrimination by their manager. A formal investigation is in progress.
- The principal party alleges workplace harassment, bullying, and psychological abuse by an employee, as well as systemic ethical failures by management. A negotiated resolution process is in progress.
- The principal party alleges harassment and abuse of authority by their manager through unfair evaluations, task manipulation, and exclusion. A formal investigation is in progress.
- The principal party alleges harassment and defamation by an employee, including unfounded accusations and coordinated efforts to damage their professional reputation. The matter is currently in abeyance.
- The principal party alleges targeted harassment, exclusion from projects, abuse of authority, and denial of professional development opportunities by a manager. A formal investigation is in progress.
- The principal party alleges harassment and damage to their reputation caused by an employee. The principal party opted not to proceed with their complaint and a workplace assessment is in progress.
- The principal party alleged abuse of authority and discrimination by their managers. The matter was resolved through a workplace assessment.
- The principal party alleges abuse of authority by their managers. A negotiated resolution process is in progress.

B) Misconduct and Discipline Measures

When an employee willfully contravenes an act, a regulation, a rule, a departmental or Treasury Board policy instrument, an approved procedure, a departmental code of conduct, a reasonable and lawful management request, and/or the Values and Ethics Code for the Public Service, delegated managers are responsible for conducting a formal investigation into the alleged misconduct, in consultation with their Human Resources team. Following a formal investigation, administrative or disciplinary measures may be taken as a means of corrective action and not punitive in nature.

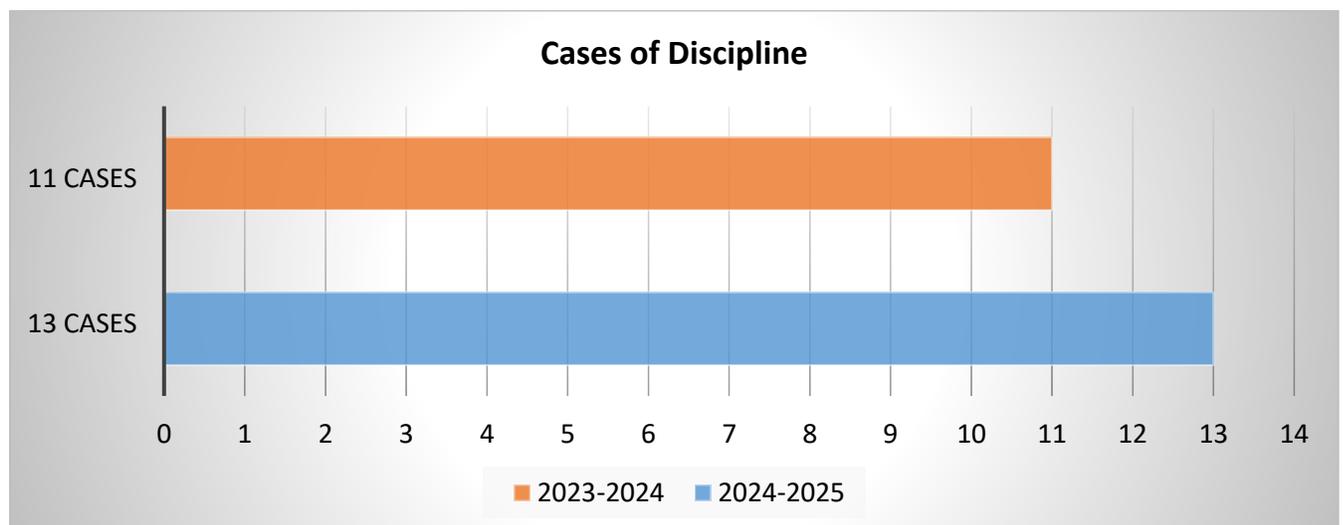
Disciplinary measures can be taken for a wide range of misconduct, including but not limited to, lateness, insubordination, bullying, harassment, falsification of documents, theft, or intoxication in the workplace. Whether it is a minor infraction or a major breach, the disciplinary measure is usually progressive in nature, meaning the severity of the disciplinary measure escalates with each case of misconduct by the employee.

It is important to note that the term "employee" in this context includes all employees, supervisors, managers and executives.

Disciplinary measures range from less severe, such as oral reprimands and written reprimands, to more severe actions, such as suspension without pay, demotion, or termination.

- **Oral reprimand:** A verbal disciplinary measure that includes a statement outlining to the employee the nature of the misconduct, the corrective action required, and the consequences should it not be corrected.
- **Written reprimand:** A formal written notice that misconduct has occurred. It outlines the nature of the misconduct, the corrective action required, and the consequences should it not be corrected. If more severe disciplinary action should later become necessary, the record of the reprimand or reprimands on the personnel file demonstrates that the employee was made aware of the consequences of further misconduct.
- **Suspension without pay:** The temporary removal of the employee from the place of work without pay as a consequence of misconduct. The notice of suspension includes the nature of the misconduct, the corrective action required, and the consequences should it not be corrected.
- **Demotion:** An action taken by the employer to appoint an employee to a position at a lower maximum rate of pay. Demotion is an alternative to a disciplinary termination and may be used when the manager is of the opinion that, despite the misconduct, the employee is still suitable for continued employment, albeit in a position at a lower maximum rate of pay. Demotion could be used in situations where a manager is found guilty of harassment and is moved to a position with no managerial responsibilities.
- **Termination:** The separation of an employee from the core public administration for misconduct. Termination may be used after a series of acts of misconduct when a culminating incident has occurred or for a single act of serious misconduct. Termination is the most severe disciplinary measure, and the decision to proceed is taken only after careful consideration and when it is determined that the employee is no longer suitable for continued employment by reason of misconduct.

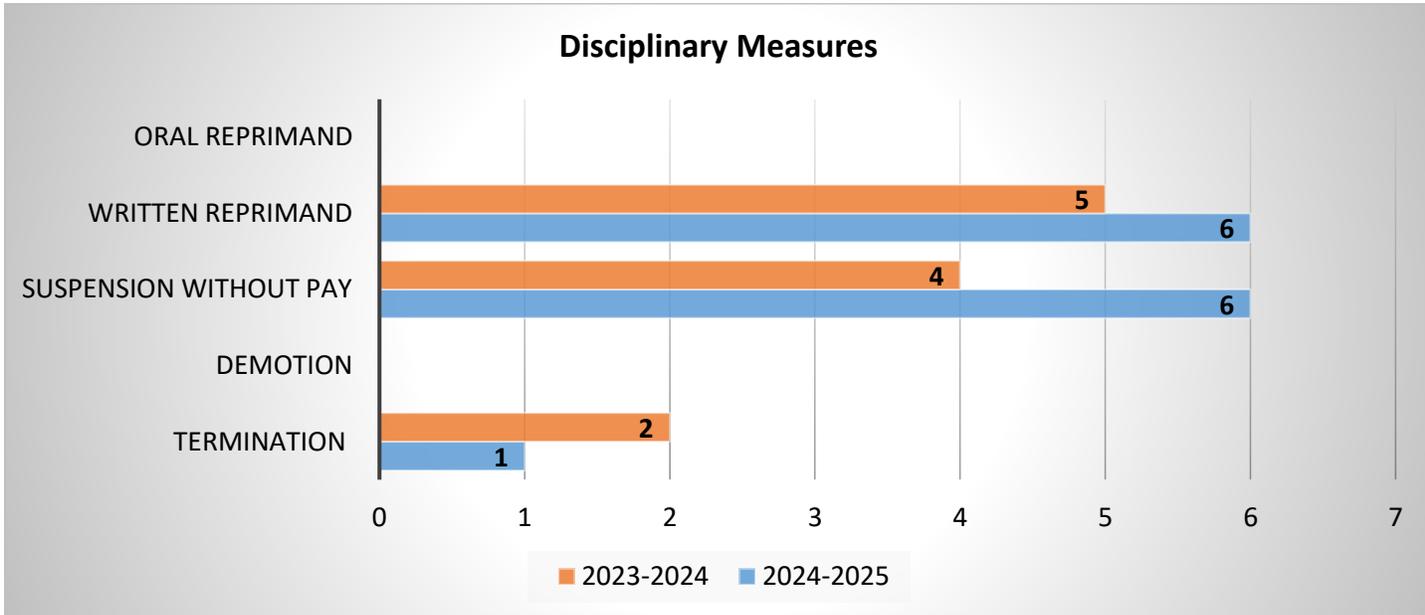
The following graph provides statistical information on the total number of cases where a disciplinary measure was taken in fiscal years 2023-2024 and 2024-2025 for all three organizations.



Text version

Fiscal Year	Cases of Discipline
2023-2024	11
2024-2025	13

The following graph provides statistical information on the types of disciplinary measure taken in fiscal years 2023-2024 and 2024-2025 for all three organizations.



Text version

Disciplinary Measures	Fiscal Year 2023-2024	Fiscal Year 2024-2025
Oral Reprimand	0	0
Written Reprimand	5	6
Suspension Without Pay	4	6
Demotion	0	0
Termination	2	1

The following provides an account of each disciplinary measure taken in fiscal years 2023-2024 and 2024-2025 for all three organizations:

2023-2024

- An employee made unprofessional remarks regarding another employee and was issued a written reprimand.
- An employee failed to comply with direction from management on several occasions. The employee had prior disciplinary measures on file; therefore, management applied progressive discipline and the employee was issued a five-day suspension.
- An employee who was also a manager made disrespectful comments and repeated disingenuous allegations against others. The employee had several prior disciplinary measures on file and progressive discipline was applied. Following an investigation where further issues of values and ethics were revealed, the employee was terminated.
- A manager failed to comply with direction from management. The manager was issued a written reprimand.
- An employee recorded a meeting with management without informing them and without obtaining consent prior to the discussion. The employee also used an aggressive tone towards management and made condescending remarks. The employee was issued a one-day suspension.
- An employee failed to comply with direction from management by not providing a note validating an absence as instructed in a letter of expectation. The employee was issued a written reprimand.
- An employee failed to comply with direction from management regarding their in-office presence and by not submitting an updated telework agreement despite receiving numerous reminders. The employee was issued a written reprimand.
- An employee failed to comply with repeated direction from management that they were to cease using their personal phone during working hours. The employee had prior disciplinary measures on file; therefore, management applied progressive discipline and the employee was issued a one-day suspension.
- An employee failed to comply with direction from management regarding the reporting of leave. The employee was issued a written reprimand.
- A manager failed to proactively disclose and take appropriate steps to resolve a conflict of interest when the manager entered into a personal relationship with a subordinate. The manager was issued a 25-day suspension without pay.
- An employee made inappropriate social media posts. The employee was terminated.

2024-2025

- An employee made unprofessional remarks during a presentation and was issued a written reprimand.
- An employee exhibited behavioural issues in the workplace and was issued a written reprimand.
- An employee made inappropriate comments related to another employee and was issued a written reprimand.
- An employee was insubordinate and refused to comply with direction from management on two separate occasions. The employee had prior disciplinary measures on file; therefore,

management applied progressive discipline, and the employee was issued a 10-day suspension without pay followed by a 15-day suspension without pay.

- An employee was disrespectful during a multi-departmental working group meeting. The employee had prior disciplinary measures on file; therefore, management applied progressive discipline, and the employee was issued a three-day suspension.
- An employee was disrespectful during a team meeting in which they made comments stating their manager was incompetent. The employee was issued a written reprimand.
- An employee installed a device that simulates mouse/computer activity. The employee was issued a written reprimand.
- A manager made disrespectful comments and used an aggressive tone when speaking with a colleague. The manager was issued a written reprimand.
- A manager failed to disclose multiple conflicts of interest when hiring individuals with whom they had a personal relationship. The manager also fraudulently used their supervisor's signature on a letter of recommendation. The manager was terminated.
- An employee was absent without authorization and failed to comply with direction from management regarding the requirement to report leave. The employee had prior disciplinary measures on file; therefore, management applied progressive discipline, and the employee was issued a one-day suspension without pay.
- An employee failed to comply with direction from management regarding the requirement to respect their hours of work and requesting of leave. In addition, the employee failed to comply with direction from management to stop collecting information about their colleagues. The employee was issued a three-day suspension without pay.
- An employee entered fraudulent leave to circumvent mandatory vacation and compensatory leave cashouts on multiple occasions, as well as failed to enter leave for a prolonged period of absence. The employee was issued an 18-day suspension without pay.

C) Wrongdoing

Among the three central agencies, a total of two disclosures of wrongdoing were reported. Below is a description of the process to report wrongdoing.

The process to report or gather further information on concerns of wrongdoing is provided to employees within each department. A situation of wrongdoing is defined by the [Public Servants Disclosure Protection Act](#) (PSDPA) as one or more of the following:

- a) A contravention of any Act of Parliament or of the legislature of a province, or of any regulations made under any such Act, other than a contravention of section 19 of the PSDPA;
- b) A [misuse of public funds or a public asset](#);
- c) A [gross mismanagement](#) in the public sector;
- d) An act or omission that creates a substantial and specific danger to the life, health or safety of persons, or to the environment, other than a danger that is inherent in the performance of the duties or functions of a public servant;
- e) A [serious breach of a code of conduct](#) established under section 5 or 6; and
- f) Knowingly directing or counselling a person to commit a wrongdoing set out in any of paragraphs a) to e).

The PSDPA is intended to address wrongdoing that could seriously impact the public's confidence in the integrity of the public service. It is not intended to address matters of a personal nature, such as individual harassment complaints or individual workplace grievances. These matters should continue to be addressed through procedures available to deal with such concerns.

An individual can disclose to a supervisor or designated Senior Officer in one of the respective organizations, or directly to the [Office of the Public Sector Integrity Commissioner](#). The process is straightforward, and the [Act](#) has provisions to protect public servants from reprisal.

Conclusion

This report is the first edition of this annual report and marks a step in our collective commitment as central agencies to ensuring ethical conduct, accountability and transparency.

This report reaffirms the importance we place on ensuring that all allegations of misconduct and wrongdoing are thoroughly investigated, and that any founded cases are met with appropriate action.

This report also seeks to raise awareness and empower employees to actively contribute to fostering a more respectful, healthy, and inclusive work environment.

About the numbers

- Disciplinary measures are reflected in the statistics based on the date they were imposed.
- In keeping with the *Privacy Act*, information on individual cases will not be released.
- At the time of data collection, PCO, TBS, and FIN have 4,731 employees.