



Canada Border
Services Agency

Agence des services
frontaliers du Canada

Canada

Addressing Misconduct and Wrongdoing at the Canada Border Services Agency

First Annual Report
(Reporting year 2024-2025)



Canada Border
Services Agency

Agence des services
frontaliers du Canada

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Message from the President

As part of our commitment to addressing misconduct and wrongdoing at the Canada Border Services Agency, I am sharing with you our first annual report on Addressing Misconduct and Wrongdoing.

This report is meant to increase transparency and confidence on what happens when misconduct or wrongdoing is reported and how the Agency deals with founded cases. It includes information from the CBSA's Professional Integrity Division, the Senior Officer for Internal Disclosure, and the Labour Relations function.

The CBSA can only carry out its mandate if it holds the confidence of those we serve and we can only gain that confidence if we support and trust one another. We all play a vital role in maintaining an environment free of harassment, discrimination, and misconduct.

Values and ethics must underpin everything we do at the Agency. They are integrated into our day-to-day work as public servants.

We want a culture where people speak up if they experience or witness wrongdoing or discriminatory behaviour and know that the CBSA has policies and processes that will address them.

As I recognize the efforts taken to address misconduct and wrongdoing, we need to work as hard to prevent these unacceptable behaviours from happening in the first place. This means addressing root causes, providing training to employees and managers, and abiding by our Code of Conduct.

The publication of this report is part of ongoing efforts at the Agency to identify and address behaviours that do not align to our values, ethics, and Code of Conduct.

Erin O'Gorman

President

1. Introduction

This *Annual Report on Addressing Misconduct and Wrongdoing at the Canada Border Services Agency* aims to increase transparency on how misconduct and wrongdoing are addressed in the Agency. It presents an overview of the cases of misconduct and wrongdoing deemed founded in the Agency and of the investigations completed by external bodies over the reporting year from April 1, 2024, to March 31, 2025. The report also provides information on the informal and formal mechanisms available to employees to report allegations of misconduct and wrongdoing.

1.1 Agency Context

The CBSA provides integrated border services that support national security and public safety through an active workforce of over 17,000 employees, including over 8,500 front line employees who provide services at 1,200 ports of entry across Canada and in 36 countries. The CBSA administers more than 100 acts, regulations, and international agreements, many on behalf of other federal departments and agencies, the provinces and territories.

The CBSA's [Code of Conduct](#) sets out the values and ethical behaviours for all employees at the Agency. The Code of Conduct is aligned with the public service's values: respect for democracy, respect for people, integrity, stewardship, and excellence. All employees are required to attest, upon receipt of their letter of offer from the CBSA, that they have reviewed and will abide by the Code of Conduct.

All CBSA employees have a role to play in preventing and addressing misconduct and wrongdoing in the workplace. Complaints are taken seriously, properly assessed and, if proven founded, followed up with administrative and/or disciplinary actions.

1.1.1 Professional Integrity Division

The CBSA's administrative investigations into misconduct, commonly referred to as Professional Standards Investigations, are administered by the Professional Integrity Division within the Recourse, Standards and Program Integrity Branch. The purpose of an administrative investigation is to investigate any allegation or suspicion of employee conduct that is contrary to the CBSA Code of Conduct.

The CBSA undertakes investigations to maintain an ethical workplace, to protect the integrity of the Agency and to support the continued delivery of its mandate. Consistency, due process and procedural fairness underpin the approach to managing instances of reported misconduct and wrongdoing, and any investigations arising from those instances.

The Professional Integrity Division is also responsible for the delivery of the Agency's Personnel Security Screening Program, including reviews of security screening, and a Special Investigations Unit, which is focused on cases involving criminality and potential corruption.

1.1.2 Senior Officer for Internal Disclosure

The Internal Disclosure Division within the Internal Audit and Program Evaluation Directorate supports the Agency's Senior Officer for Internal Disclosure, who is responsible for rendering decisions on cases of alleged wrongdoing at the CBSA, under the [Public Servants Disclosure Protection Act](#). The Internal Disclosure Division provides Agency employees with a confidential mechanism to report potential wrongdoing. The Internal Disclosure Division conducts investigations in order to make recommendations to the Senior Officer for Internal Disclosure on allegations of wrongdoing. It also produces in-house training on the *Public Servants Disclosure Protection Act* and conducts regular outreach and learning sessions with employees and management.

1.1.3 Labour Relations

Labour Relations provides support, advice and guidance to managers on effective people management. Labour Relations Advisors also support managers by sharing tools and best practices to prevent and address workplace issues in accordance with relevant legislation, collective agreements, jurisprudence and CBSA and Treasury Board Secretariat policies.

The Disciplinary Measures Framework serves to promote a fair, consistent and transparent approach to discipline and includes guiding principles meant to promote a shared understanding of the behaviours that are considered to be misconduct and their possible consequences. The discipline recommended for each incident of misconduct must be considered on a case-by-case basis. In the event that previous efforts to correct behaviour have not achieved the desired results, or if the misconduct is deemed so egregious that continued employment is not considered feasible, termination may be the only appropriate measure. Mitigating and aggravating factors ([Annex B](#)) may require variations in management's response to seemingly similar offences. Circumstances may include, but are not limited to:

- the employee's length of service
- absence or presence of current discipline on file
- the seriousness of the offence, and the circumstances of each situation
- relevant jurisprudence

1.2 Understanding Misconduct and Wrongdoing

1.2.1 Misconduct

Employee¹ misconduct can be:

- actions or inactions inconsistent with CBSA policies, standards, procedures or practices
- actions or inactions that break the law
- breaking other rules and regulations administered by the CBSA
- acts that harm the CBSA's reputation or affect the Agency's relationship with other law enforcement partners

Misconduct can be reported to management or to the Professional Integrity Division. All complaints are taken seriously, assessed, and investigated when necessary. Founded cases lead to measures aimed to correct behaviours and ultimately protect the interests of the Agency and the Government of Canada.

1.2.2 Wrongdoing

Wrongdoing, in the context of the *Public Servants Disclosure Protection Act*, refers to any of the following in the public service:

- contravening legislation
- misusing public funds or a public asset
- gross mismanagement
- creating a substantial and specific danger to the life, health or safety of persons, or to the environment
- breaching the code of conduct to a serious extent
- knowingly directing or counselling a person to commit any of these acts

¹ Includes supervisors, managers, and executives

To be considered under the *Public Servants Disclosure Protection Act*, an issue must meet a threshold of seriousness. The issue must be in the public interest, and could negatively impact the public's trust and confidence in the public service.

1.3 Addressing Misconduct and Wrongdoing

1.3.1 Reporting Framework

All CBSA employees have a duty, under the *CBSA Code of Conduct*, to report suspected misconduct. This would typically occur through a report to their manager or directly to the Professional Integrity Division. In some instances, particularly when they are concerned that they could be subject to a reprisal, an employee may choose to make a protected disclosure to the office of the Senior Officer for Internal Disclosure.

The distinction between misconduct and wrongdoing is assessed by looking at elements like the seriousness of the actions/inactions, the seniority of the employee involved, whether there is a pattern of behaviours over time, and the willfulness/recklessness of the behaviours. The Professional Integrity Division and Internal Disclosure Division maintain a working relationship that ensures allegations are reviewed, and if needed investigated, by the most appropriate function depending on the situation.

The Professional Integrity Division and Internal Disclosure Division share information, to the extent possible in respect of legislative confidentiality and privacy requirements, if there is a question as to which group should take on a case. If either group believes the other would be the more appropriate mechanism, they will refer cases in line with established procedures.

1.3.2 Administrative Investigations Framework

When a report of misconduct is received, a preliminary analysis takes place to determine the nature of the allegations, whether the allegations appear to be substantiated and whether an investigation should be launched. Investigations are triaged into three categories, based on their complexity and seriousness to ensure that the matter is properly investigated, as follows:

- Tier 1 investigations are conducted by management with the support of Labour Relations.
- Tier 2 investigations are conducted by an investigations analyst within the Professional Integrity Division with the support of a delegated manager responsible for conducting interviews. The resulting report is issued by the Professional Integrity Division to the Director General (or higher) responsible for the employee under investigation.
- Tier 3 investigations are conducted by a senior investigator within the Professional Integrity Division. The resulting report is issued to the Director General (or higher) responsible for the employee under investigation.

When a protected disclosure is received, the Internal Disclosure Division conducts an admissibility assessment, which the Senior Officer for Internal Disclosure reviews, to determine whether to launch an investigation. Investigations are conducted within the Internal Disclosure Division, which makes recommendations to the Senior Officer for Internal Disclosure, the decision-maker in cases of potential wrongdoing. If the Senior Officer determines wrongdoing has occurred, a report is issued to the President and a summary is published online.

Until such time as an investigation is completed, administrative measures may also be taken to reduce potential risks to the Agency and to Canadians. As appropriate, these measures could include the potential suspension of IT systems or facilities access, as well as of financial and human resources management delegations.

1.3.3 Measures Taken in Founded Cases of Misconduct and Wrongdoing

Allegations of misconduct or wrongdoing are investigated to determine whether they are unfounded or founded, based on a balance of probabilities. CBSA management is responsible to take appropriate disciplinary or administrative measures when allegations of misconduct or wrongdoing are deemed to be founded.

2. Overview of Misconduct and Wrongdoing Cases – 2024-2025

2.1 Findings in 2024-25

In reporting year 2024-25, 408 misconduct investigations were launched. A total of 364 investigations were completed, including some that began in the previous fiscal year. Of these, 259 (71%) contained at least one founded allegation.

One investigation into wrongdoing was launched by the Senior Officer for Internal Disclosure in 2024-25, and three investigations were completed, including some that began in the previous fiscal year. No investigations completed in 2024-25 included a finding of wrongdoing.

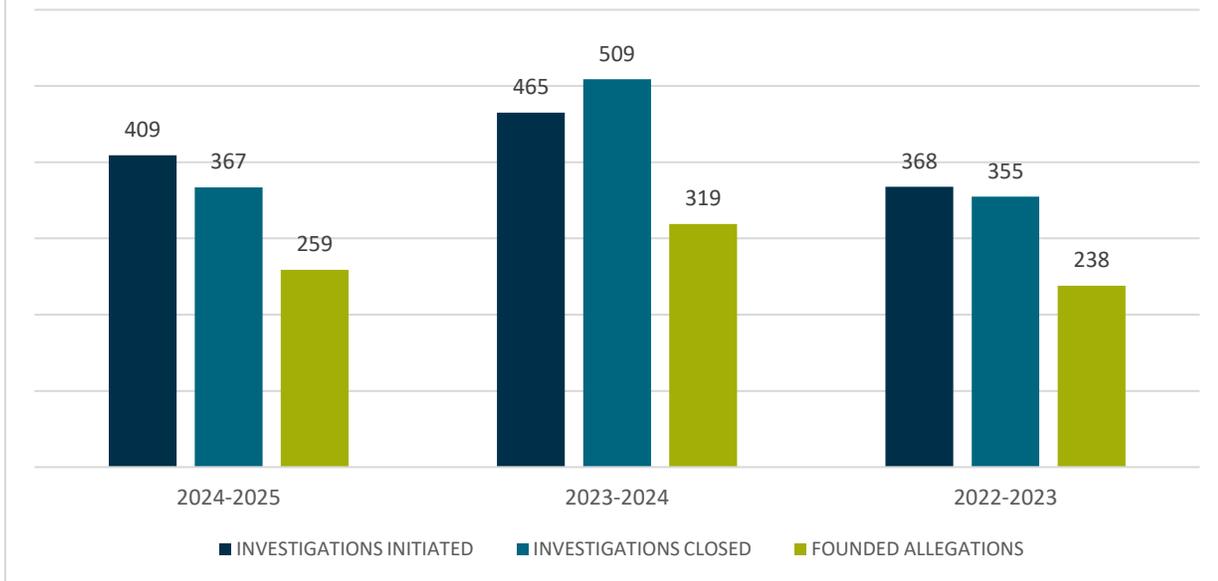
The 367 closed misconduct and wrongdoing investigations involved five executives, 30 managers and 332 other employees.

2.2 Trend Analysis and Year-over-Year Comparison

The Agency maintained relatively consistent rates of investigation initiation, closure and founded allegations compared to previous years. Since some cases are carried over year to year, some variance in the investigation numbers can be expected. In other instances, cases may be held in abeyance for an extended period (for example, while a respondent is on sick leave) which impacts investigation timelines.

Overview of Misconduct and Wrongdoing Investigations						
Year	Investigations Initiated		Investigations Closed		Founded Allegations (% of closed investigations with founded allegations)	
	Alleged Misconduct	Alleged Wrongdoing	Related to Misconduct	Related to Wrongdoing	Instances of Founded Misconduct	Instances of Founded Wrongdoing
2024-2025	408	1	364	3	259 (259/364, 71%)	0 (0/3, 0%)
2023-2024	462	3	503	6	319 (319/503, 63%)	0 (0/6, 0%)
2022-2023	367	1	353	2	237 (237/353, 67%)	1 (1/2, 50%)

OVERVIEW OF MISCONDUCT AND WRONGDOING CASES - 2022-2025



3. Corrective Measures

The CBSA has a responsibility to take appropriate corrective measures when misconduct or wrongdoing is determined to be founded. To determine the appropriate measure, each case is assessed on its own merits. The decision-maker must consider aggravating and mitigating factors and given the circumstances of each situation, measures imposed may vary. In some cases, the misconduct or wrongdoing may be sufficiently serious to warrant termination even on a first offence. Founded misconduct resulted in four terminations in 2024-25.

Outcome of Founded Cases	
Corrective Measures	Count
Pending Resolution	4
Employee left Agency	14
No discipline due to mitigating factors (see Annex B)	24
Counselling ²	59
Oral reprimands	23
Written reprimands	59
One to five days suspension	49
Six to fifteen days suspension	16
Sixteen to twenty-five days suspension	6
Thirty days suspension	1
Termination	4
Total	259

² Could include training, coaching, mentoring, re-establishment of expectations, and reinforcement of applicable policy instruments, etc.

Incidents of misconduct and wrongdoing occur among a small proportion of CBSA employees (1.52%) and are not confined to any particular level or job function.

The CBSA has a *Disciplinary Measures Framework* which provides examples of misconduct and recommended ranges of discipline, based on precedents and jurisprudence.

Outcomes of Founded Cases by Category - 2024-2025 ³		
Category	Founded Cases	Summary of Corrective Measures
<p>Criminality and/or Criminal association, Private, Off-Duty Conduct and Outside Activities</p> <p>Agency employees are expected to maintain adherence to the Criminal Code, the CBSA Act, and any legislation or regulation enforced by the Agency. Private, off-duty conduct may become a work-related matter if it impacts one’s ability to perform official duties or impacts the Agency’s ability to deliver on its mandate.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Conflict of interest with a vendor • Consuming or being in possession of an illegal substance while off duty • Theft • Associating with known drug trafficker • Driving a CBSA vehicle while intoxicated 	15	<ul style="list-style-type: none"> • Two terminations. • 11 corrective measures ranging from counselling on expected behaviour to a 20 day suspension. • One resignation. • One departure from CBSA prior to discipline being rendered.
<p>Financial mismanagement, Conflict of interest and/or Fraud</p> <p>Fraud and financial mismanagement involve asset misappropriation, falsified reports, misuse or loss of public funds and/or Crown property. This may include, but is not limited to, suspected fraud; misuse, embezzlement, or theft of government property or funds; contract or procurement fraud; contractor misconduct; and mismanagement or misappropriation of funds.</p> <p>A conflict of interest occurs when the public servant has private interests that could</p>	20	<ul style="list-style-type: none"> • 16 corrective measures ranging from counselling on expected behaviour to a five day suspension. • Two departures from CBSA prior to discipline being rendered. • Two disciplinary processes are in progress.

³ The table reflects outcomes of all Tier 1, 2 and 3 investigations for the period of 2024-25.

<p>improperly influence the performance of their official duties and responsibilities or in which the public servant uses their office for personal gain.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Falsifying medical notes to justify absences • Time fraud by misrepresenting hours of work or claiming overtime not worked • Misuse of CBSA travel credit card 		
<p>Harassment, Sexual harassment, Discrimination and Violence in the Workplace</p> <p>Harassment and violence in the workplace cases pertain to 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.</p> <p>Discrimination involves treating someone differently or unfairly because of a personal characteristic or distinction which, whether intentional or not, has an effect which imposes disadvantages not imposed upon others, or which withholds or limits access to other members of society. Thirteen prohibited grounds for discrimination are established under the Canadian Human Rights Act.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Inappropriate sexual comments • Disrespectful behaviour • Making threats of physical violence • Deploying defensive equipment during an altercation • Inappropriate touching 	21	<ul style="list-style-type: none"> • Two terminations. • 17 corrective measures ranging from counselling on expected behaviour to a 12 day suspension. • Two term employment contracts ended before any disciplinary or administrative steps could be taken.
<p>Accountability and Professional Conduct</p> <p>CBSA employees must demonstrate personal and professional accountability in their workplace conduct. Whether uniformed or non-uniformed, armed or unarmed, Agency employees are responsible for acting at all times in such a way as to uphold the public interest and for exhibiting conduct in keeping with the Values and Ethics Code for the Public</p>	203	<ul style="list-style-type: none"> • 174 corrective measures ranging from counselling on expected behaviour to a 30 day suspension. • Seven departures from CBSA prior to discipline being rendered. • 22 did not receive discipline as a result of mitigating factors (see Annex B).

<p><u>Sector</u>, the CBSA <u>Code of Conduct</u> and the <u>Directive on Conflict of Interest</u>.</p> <p>Agency business must be conducted in a manner consistent with the <u>Criminal Code</u>, the <u>CBSA Act</u>, and any laws, rules and regulations administered by the Agency.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Failing to conduct a proper search during an arrest • Failing to refer an individual subject to a lookout for secondary examination • Failing to enter required information in CBSA systems • Providing false statements • Misuse of law enforcement databases • Hiring family members or friends • Cheating on a selection process • Interfering in immigration processing • Use of personal cell phone while on duty • Providing preferential treatment to a family member 		
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4. External Investigations

As part of their mandates, other entities can undertake investigations of the Agency or its employees.

4.1 Office of the Public Sector Integrity Commissioner

The Office of the Public Sector Integrity Commissioner of Canada is an independent federal organization that investigates allegations of wrongdoing and reprisal under the *Public Servants Disclosure Protection Act*.

The Internal Disclosure Division assists the Office of the Public Sector Integrity Commissioner of Canada as required, by responding to requests for information when investigations into wrongdoing or reprisal related to the CBSA are underway. In 2024-25, the Public Sector Integrity Commissioner did not render any decisions of founded wrongdoing or reprisal at the Agency.

4.2 Canadian Human Rights Commission

Under the *Canadian Human Rights Act*, an individual or group of individuals may submit a human rights complaint to the Canadian Human Rights Commission related to any action, behaviour, decision or omission of the federal government or a federally regulated organization that they have reasonable grounds to believe resulted in the unfair or negative treatment of a person under prohibited grounds of discrimination.

In accordance with section 41 (1) of the *Canadian Human Rights Act*, the Canadian Human Rights Commission may choose not to deal with the complaint if there are other processes that are reasonably available to address the human rights issues, such as the grievance process. Should the employee be unsatisfied at the conclusion of the grievance process, they may pursue recourse through the Human Rights Commission.

In 2024-25, there were no decisions rendered from the Canadian Human Rights Tribunal involving CBSA employees.

4.3 Employment and Social Development Canada

The Employment and Social Development Canada Labour Program is responsible for the administration and enforcement of Part II of the *Canada Labour Code* to ensure occupational health and safety. Inspections and investigations by the Employment and Social Development Canada Labour Program may be initiated following a serious injury or fatality, a referred complaint under the internal resolution process (*Canada Labour Code*, subsection 127(8)), a continued work refusal due to danger (subsection 128(16)), or as part of regular audits and reviews.

Employees who believe harassment issues are not being properly addressed according to the process outlined in the legislation, can file a complaint with the Employment and Social Development Canada Labour Program, which will require the employer to explain the steps they are taking to ensure a safe work environment.

In 2024-25, the Labour Program issued one direction to CBSA related to the harassment investigation process which was appealed and is currently awaiting a hearing before the Canada Industrial Relations Board.

4.4 Public Service Commission

As part of its mandate to oversee the integrity of the staffing system and the political impartiality of the federal public service, the Public Service Commission investigates concerns relating to appointment processes and allegations of improper political activities for organizations that are subject to the *Public Service Employment Act*.

Between 2022 and 2025:

Overview of Public Service Commission Investigations						
Year	Investigations	Outcome of Investigation				
		Founded	Unfounded	Withdrawn	Declined	No Jurisdiction
2024-2025	4	0	0	0	2	2
2023-2024	4	2	0	1	1	0
2022-2023	5	2	3	0	0	0

A synopsis of the four founded cases for the 2022-25 reporting period is as follows:

- One instance of cheating on the Officer Trainee Entrance Exam. The individual saw corrective measures applied including Public Service Commission confirmation before accepting any federal public service position or work, and subsequent values and ethics training applicable for a period of two years.

- Personal favouritism in Federal Student Work Experience Program student hiring. The student resigned.
- Hiring manager was found to have provided favouritism in a student hiring process. The individual saw corrective measures applied including Public Service Commission confirmation before accepting any federal public service position or work and subsequent values and ethics training applicable for a period of two years.
- A candidate committed fraud by falsifying a fitness test certificate. The individual saw corrective measures applied including elimination from the hiring process, Public Service Commission confirmation before accepting any federal public service position or work, and subsequent values and ethics training applicable for a period of three years.

5. Conclusion

The 2024-25 *Report on Addressing Misconduct and Wrongdoing at the Canada Border Services Agency* is part of the Agency's commitment to transparency, management excellence, and ethical conduct by all people working for the CBSA.

The CBSA remains committed to providing employees with mechanisms to disclose potential misconduct and wrongdoing, and to conducting thorough, and fair processes that identify and address misconduct and wrongdoing.

This report should remind all Agency employees of their obligations to act with integrity at all times, and to take action when lapses occur. It should also demonstrate to Canadians the CBSA's commitment to upholding the highest standards of ethical conduct and excellence when faced with unacceptable behaviours, in line with the Agency's *Code of Conduct* and the *Values and Ethics Code for the Public Service*.

Annex A – Definitions

Term	Definition
Complaint	An allegation of misconduct.
Findings	The factual observations of an investigator with respect to the conditions found and supportable through observation, documentation and/or corroboration, including interviews.
Fraud	Intentional act committed to secure an unfair or unlawful gain as well as the deliberate violation of laws, regulations, and policies by Agency staff (even when the benefit is non-financial in nature).
Founded allegation	Based on the evidence, the allegation can be proven, on a balance of probabilities, as having occurred.
Investigation	A formal, objective, systematic and thorough process involving the examination of circumstances surrounding an incident or allegation, the purpose of which is to establish, document and analyze all relevant facts in order to allow management to make an informed decision.
Investigator	The person authorized to investigate allegation(s) of misconduct or wrongdoing in accordance with established guidelines.
Investigation report	A detailed analysis of the facts gathered during the research and interview phases of a Professional Standards Investigation. Based upon the balance of probabilities, it concludes whether the alleged misconduct(s) is founded, unfounded, or inconclusive.
Misappropriation	The act of diverting money or property for a wrongful purpose. It is often used in the context of, but is not limited to, the diversion of public funds for one's own use or the use of others.
Misconduct	Any conduct by an employee, either on or off duty, that may include: <ul style="list-style-type: none"> • actions or inactions against CBSA policy, standards, procedures or practices • actions or inactions that break the law • breaking other rules and regulations administered by the CBSA • acts that harm the CBSA's reputation or affect the Agency's relationship with other law enforcement partners
Misuse of Agency assets	Use of Agency systems and assets to conduct unauthorized, unlawful, or unacceptable activities. This can include the following: <ul style="list-style-type: none"> • Misuse of credentials: the use of any CBSA identification in a manner which may reasonably give the perception that it is being used for personal benefit, attempting to exert undue influence, or to obtain, directly or indirectly, a favour, reward, or preferential treatment for themselves or others, or to improperly enhance their own image. • Misuse of defensive equipment: non-compliance with policies, procedures or guidelines pertaining to the use and storage of Agency defensive equipment. • Misuse of government property: includes the use of government property for purposes other than for official

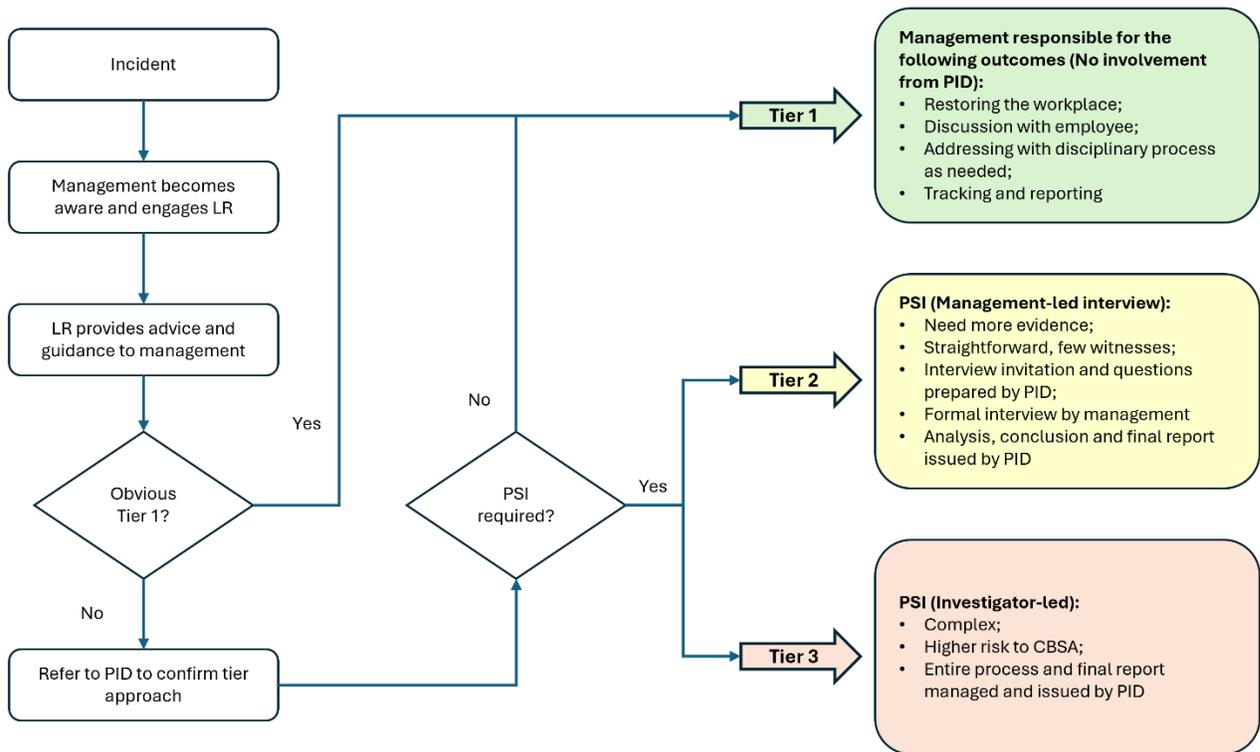
	<p>CBSA business. CBSA property includes, but is not restricted to, vehicles, buildings, space, premises, facilities, uniforms, files and documents, office equipment and supplies, computers, software, video equipment, telecommunication devices, government credit cards and defensive equipment.</p> <ul style="list-style-type: none"> • Misuse of IT systems: noncompliance with policies, procedures or guidelines pertaining to information technology systems including, but not limited to, the use of e-mail, internet, file storage and access to CBSA and non-CBSA owned databases and the information they contain.
Preliminary Analysis	The act of obtaining from the person who made the allegations all details relating to the facts and circumstances reported, examining the documentation available in order to determine whether the allegation may warrant formal investigation.
Professional Integrity	Employees are responsible for exercising their authority in an honest, open and fair manner; accepting responsibility for their actions in order to build and maintain a reputation of trustworthiness and accountability; treating others in a respectful manner; doing what is right even when nobody is looking; and safeguarding the physical and informational assets of the CBSA.
Professional Standards Investigations	A systematic process of gathering evidence to establish and evaluate the facts surrounding an incident or allegation, to create a basis to allow management to make an informed decision. Based on the balance of probabilities or preponderance of the evidence, the investigation will determine if the allegations are founded, unfounded or inconclusive. An administrative investigation is a distinct and independent process from a criminal investigation.
Reprisal	<p>While this definition and its protections can differ depending on the mechanism used by an employee, reprisal may be considered any measure taken against a public servant because he or she made a complaint in good faith or cooperated in good faith in an investigation. Reprisal can include</p> <ul style="list-style-type: none"> • disciplinary measures • demotion • termination of employment; and/or • any other measure that could adversely affect the employment or working conditions of that person, including a threat to take any of these measures or to direct another person to do so.
Unfounded allegation	Based on the evidence, the allegation cannot be proven to have occurred on a balance of probabilities.
Wrongdoing	<p>The Public Servants Disclosure Protection Act defines wrongdoings as one or more of the following:</p> <ol style="list-style-type: none"> 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 this Act; b. a misuse of public funds or a public asset;

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| | <ul style="list-style-type: none">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; andf. knowingly directing or counselling a person to commit a wrongdoing set out in any of the paragraphs (a) to (e). |
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Annex B – Examples of Mitigating and Aggravating Factors

Aggravating factors	Mitigating factors
<ol style="list-style-type: none"> 1. Employee is not forthcoming 2. Employee lacks remorse and/or does not recognize the seriousness of his actions 3. Presence of current discipline on file 4. Employee’s years of service 5. Link between employee’s duties and alleged misconduct 6. Employee occupies a position of authority or trust 7. Employee was warned that behaviour would not be tolerated 8. Employee not willing to change behaviour 9. Policy is clear and was communicated to employees 10. Link between misconduct and CBSA mandate 11. Conduct renders employee unable to perform duties in satisfactory manner 12. Conduct leads to refusal, reluctance or inability of others to work with employee 13. Conduct endangers others’ health and safety 14. Misconduct may be harmful to the CBSA’s programs or reputation 15. Any other relevant factors 	<ol style="list-style-type: none"> 1. Employee is forthcoming 2. Employee is remorseful and/or recognizes the seriousness of his actions 3. Absence of current discipline on file 4. Employee’s years of service 5. Isolated incident 6. Lack of premeditation 7. Behaviour previously condoned 8. Policy was not applied consistently 9. Policy is not clear or was not communicated to employees 10. Employee was provoked 11. Employee was encouraged or coerced to act 12. Employee’s conduct influenced by a demonstrable and serious personal issue 13. Discipline issued after an unjustified delay 14. Management participated in the misconduct 15. Any other relevant factors

Annex C – Addressing misconduct – CBSA resources at a glance



Annex D – Addressing wrongdoing – CBSA resources at a glance

