

## **WHISTLEBLOWER POLICY**

The purpose of this policy is to (1) provide a procedure for employees to report inappropriate action by Library officers or employees, and (2) protect individuals who have reported wrongful conduct in accordance with Library policies and procedures.

### **Definitions**

As used in this policy, the following terms shall have the meanings indicated:

1. “Wrongful conduct” means any action by a Library officer or employee
  - a. That is undertaken by the director, a trustee (officers) or a Library employee, whether or not the action is within the scope of the employee's employment; and
  - b. That (i) is in violation of any federal, state or local law or written Library policy, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety, or (iv) is illegal or fraudulent.

“Wrongful conduct” does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reductions in pay, dismissals, suspensions, demotions or reprimands unless such action meets the definition of wrongful conduct as defined above.

2. “Retaliatory action” means any intimidation, harassment, discrimination or other retaliation, and, with respect to a Library employee, adverse change in the terms and conditions of a Library employee's employment.
3. “Emergency” means a circumstance that if not immediately changed may cause damage to persons or property.

### **Procedures for Reporting**

Library employees who become aware of wrongful conduct should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor stating in detail the basis for the employee's belief that wrongful conduct has occurred. The supervisor will inform the Library Director of the issue and resolution. The Director will inform the Board of Trustees of the issue. Where the employee reasonably believes the wrongful conduct involves his or her supervisor, the employee should report the issue to the Library Director. If the suspected wrongful conduct involves the Director, the employee should report the issue directly to the President of the Board of Trustees.

Should any officer or volunteer become aware of wrongful conduct, such person should present the matter to the Library Director. The Director will inform the Board of Trustees of the issue. If

the suspected wrongful conduct involves the Director, such person shall present the matter to the President of the Board of Trustees.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the wrongful conduct directly to the Director. If the Director is unavailable, the employee may report directly to the President of the Board of Trustees.

In the event an employee desires to make an anonymous report, it shall be permitted to do so by submitting an anonymous written report to the appropriate superior in accordance with the provisions, above.

The person to whom the report is made shall take prompt action to assist the Library in properly investigating the report of wrongful conduct. Library officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law and so long as doing so does not compromise the investigation.

After an investigation has been completed, the employee reporting the wrongful conduct shall be given a written summary of the results of the investigation, except that personnel actions taken or other matters deemed confidential by the Director as a result of the investigation shall be kept confidential.

Thereafter, the employee, officer or volunteer may report information about the wrongful conduct directly to the appropriate government agency which has responsibility for investigating the wrongful conduct if the Library employee has a reasonable belief that one of the following two conditions exists:

1. An adequate investigation was not undertaken by the Library to determine whether an wrongful conduct occurred, or
2. Insufficient action has been taken by the Library to address the wrongful conduct.

### **Protection Against Retaliatory Actions**

Library officials and employees are prohibited from taking retaliatory action against any person because he or she has, in good faith, reported wrongful conduct in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting wrongful conduct should advise the Library Director. The Director shall take appropriate action to investigate and address complaints of retaliation. If the Director is involved the employee should report the matter to the President of the Board of Trustees. The Library Board Trustees will then investigate and address the complaint of retaliation.

**Designated Administrator of the Policy**

The Library Director is designated to administer this policy and shall report to the Audit Committee, if there is one, and if there is not, the Board of Trustees. This policy shall be distributed by the Director or her/his designee, to all directors, officers, employees and volunteers who provide substantial service to the Library as determined by the Director.

**Dissemination of the Policy**

A copy of this policy shall be disseminated to all officers, employees, trustees, and directors. A copy of this policy shall also be disseminated to all volunteers who provide substantial services.

**Signature**

My signature below indicates my receipt and understanding of this policy. I also verify that I have been provided with an opportunity to ask questions about this policy.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Adopted: 9/19/17**