

Whistle Blower Procedure and Policy

REPORTING IMPROPER GOVERNMENT ACTION AND PROTECTING EMPLOYEES AGAINST RETALIATION

It is the policy of Library District to (1) provide a procedure for employees to report improper governmental action by Library officers or employees, and (2) protect employees who have reported improper governmental actions in accordance with Library policies and procedures.

This policy will be added to the personnel manual for all employees to see & read and also given to every trustee and library administrator upon being hired or sworn in.

Definitions

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

1. "Improper governmental action" means any action by a Library officer or employee.
 - a. That is undertaken in the performance of the officer's or employee's official duties as 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 departmental policy, (ii) is an abuse of authority, (iii) is of substantial and specific danger to the public health or safety or (iv) is a gross waste of public funds.

"Improper governmental action" 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, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

2. "Retaliatory action" means any adverse change in the terms and conditions of an 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 improper governmental action 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 an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee should

raise the issue directly with the highest official in the Library or the official holding the position of Library Director.

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 improper governmental action directly to the Director or if the Director is the person being reported the report should go directly to the Board of Trustees.

Supervisors shall take prompt action to assist the Library in properly investigating the report of improper governmental action. Library officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing.

The Library will use an employee, officer or director of the library to administer the follow-up and adherence to this policy and report the findings to the audit committee or independent committee, director or board when complete.

After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation shall be kept confidential.

Thereafter, Library employees may report information about the improper governmental action directly to the appropriate government agency which has responsibility for investigating the improper action 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 improper governmental action occurred, or
2. Insufficient action has been taken by the Library to address the improper governmental action.

Library employees who fail to make a good-faith attempt to follow Library procedures in reporting improper governmental action shall not receive the protection provided by the Library in these procedures.

Protection Against Retaliatory Actions

Library officials and employees are prohibited from taking retaliatory action against a Library employee because he or she has, in good faith, reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise the Library Board. Library Board officials shall take appropriate action to investigate and address complaints of retaliation.