

Suggested policy format and content. RTPA specific policies should be developed in consultation with RTPA Legal Counsel, Board of Directors and appropriate regulatory agencies.

18. Whistleblower's Complaint Procedures

Policy

RTPA is committed to being a good steward of public resources and has implemented systems of internal and management control to reduce the possibility of fraud, waste and abuse. However, these systems do not eliminate the possibility. It is the policy of RTPA to encourage employees who are acting in good faith and have reasonable basis for believing the information constitutes wrongful conduct to disclose that information to RTPA management.

RTPA is committed to investigating whistle blower complaints and taking necessary corrective action. Retaliation for making a complaint or participating in the investigative process is prohibited. Retaliation against an individual for his/her involvement in a complaint or investigation under this policy is prohibited by law and will constitute a separate violation of this policy.

Applicability

This policy applies to all RTPA employees, temporaries, and interns, elected or appointed officers, and to those who are agents of a public or private entity doing business with RTPA.

Responsibilities

The Human Resources Officer is responsible for ensuring that the policy and procedures relating to whistle blower complaints are disseminated and implemented. This policy is referred to in RTPA' Human Resource Manual.

All employees, temporaries, and interns will be informed of this policy and are responsible for reviewing it. All persons on RTPA's premises are expected to comply with this policy.

Definitions

WRONGFUL CONDUCT constitutes serious violation of RTPA policy; violation of state and federal laws; the use of RTPA property, resources or authority for personal gain or other non-business related purposes.

PROTECTED DISCLOSURE is communication about actual or suspected wrongful conduct engaged in by an RTPA employee, or contractor based on a good faith and reasonable belief that the conduct has both occurred an is wrongful un applicable law and/or RTPA policy.

RETALIATION is defined as adverse action against an individual because he or she has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

Confidentiality

Every effort shall be made to protect the privacy of all individuals throughout all phases of the complaint resolution process. Anonymity and complete confidentiality cannot be guaranteed once a complaint is made or unlawful behavior is made known because RTPA has a duty to conduct an investigation and to report criminal conduct to appropriate legal authorities.

In the interest of maintaining confidentiality, a person who is making the whistle blower should not discuss the matter with anyone other than the Executive Director. All documents concerning a whistle blower complaint will be maintained by the Executive Director. Files pertaining to complaints will be maintained in confidence to the fullest extent permitted by law.

Complaint Procedures

Individuals who are aware of or suspect wrongful conduct should report that conduct to the Executive Director, either verbally or in writing. If the individual believes there is a conflict of interest in bringing the matter to the Executive Director, the individual should report the matter to the Board President.

Once a complaint is made known to the Executive Director or Board President, he/she shall acknowledge receipt of the suspected wrongful conduct to the complainant within 24 hours. The Executive Director or Board President shall ensure that the allegations are investigated within 45 days and that appropriate corrective action is taken.

Protections

Employees have the right to file whistle blower complaints in good faith. An individual who makes a false or fraudulent complaint under this policy will be subject to discipline, up to and including termination.

RTPA will not tolerate retaliation against any individual who files a whistle blower complaint. RTPA will not tolerate retaliation against any person who participates in an investigation covered under this policy. If retaliation is alleged, it shall be processed as a separate complaint that shall be filed directly with the Executive Director. The law prohibits such acts of retaliation. Any person found to be retaliating against another person shall be subject to disciplinary action up to and including termination.