

Rockwell Falls Public Library

Whistleblower Policy

At Rockwell Falls Public Library (RFPL) the Library Board and individual trustees, staff, and volunteers are expected to conduct themselves in accordance with all RFPL policies and applicable laws and regulations.

Purpose

Encourage trustees, staff and volunteers to report instances of suspected illegal or unethical conduct. This conduct could include theft, fraud, mismanagement of resources, and violations of policies. This policy also informs all trustees, staff and volunteers of protections under the whistleblower laws. The law prohibits retaliation against employees/volunteer to trustee, trustee to employee/volunteer who might disclose the RFPL information concerning illegal or wrongful conduct or improper actions which that person reasonably believes constitutes an improper action by a trustee, officer, employee or volunteer.

Wrongful conduct shall be defined as:

Illegal to include theft;

Misuse of authority for personal gain or non RFPL purposes;

Fraud;

Violations of federal/state regulations and serious violations of RFPL policies or procedures.

Reporting

The RFPL encourages trustees, staff and volunteers who have the knowledge or misconduct by actions of employee or volunteer to report to the RFPL Director and President of the Board. If the Director is the person suspected of such conduct or actions, it should be reported to the President of the Board.

Trustees, staff and volunteers who have knowledge of misconduct by actions of a trustee or officer to report to the President of the Board. If the Board President is suspected of such misconduct it should be reported to other trustees who serve on the Board.

Investigation

Upon receiving a report of misconduct the RFPL Director, Board President or trustee shall take steps to conduct an investigation without designees. A written record shall be maintained and the Board of Trustees shall be provided with a confidential report.

Confidentiality

The person(s) conducting the investigation shall use all reasonable efforts to maintain confidentiality of the person reporting the misconduct, providing that doing so will not interfere with the investigation.

No Retaliation

No trustee, employer or volunteer of the RFPL who reports actions of misconduct taken by the RFPL trustees, employers or volunteers that are illegal or fraudulent or in violation of company policies shall suffer intimidation, harassment, discrimination, or other retaliation. No employee shall suffer any adverse employment consequences.

Allegations of Reprisal

Any employee who has been subject to adverse employment action following disclosure of misconduct may file a complaint with the RFPL Director. If allegations involve the RFPL Director an employee may contest the action by filing a written complaint of reprisal with the President and the Board.

Complaints will be reviewed to determine if:

- Complainant made disclosure before adverse employment action was taken
- The complainant has suffered adverse employment actions
- If adverse employment action occurred as a result of disclosure

If the RFPL Director, Board President, or designee determines the above elements are present a review officer shall be appointed by the Board of Trustees to Investigate the claim and make recommendations to the Board. The complainant and responding party should be informed of:

- Intent to follow on with investigation
- Specific allegations
- Opportunity for each party to support or respond in writing to the allegations

Once the review is complete the officer will notify the Library Director. From the date of the notice the review officer has 30 days to report his/her findings and make recommendations they deem appropriate to the Board of Trustees. The Board shall issue a letter of findings to both the complainant and the responding party.

Trustees, staff or volunteers asserting they have suffered retaliation in response to reporting actions suspected by the trustees, employees or volunteers shall submit such complaint in writing to the Board of Trustees or its designees, and the Board or its designees shall investigate such complaint and issue a determination of remedial measures, if any, within 60 days.

Decisions and Actions

Nothing in this policy is intended to interfere with legitimate employment decisions. Protections afforded under this policy and NYS whistleblower laws are not applicable under circumstances where the RFPL has or has independent grounds for disciplinary actions against an employee.

Review

These policies and any accompanying procedures will periodically be reviewed to determine modifications are appropriate.

Received, Reviewed and Accepted: 3/15/2022

_____ NAME

TITLE (I.E. TRUSTEE, EMPLOYEE TITLE, VOLUNTEER)

_____ DATE