

DCL Whistleblower Policy

Introduction

The DeWitt Community Library Association (hereafter DCLA) will not intimidate, harass, discriminate or in any way retaliate against or take any adverse employment action against any, trustee, officer, employee or volunteer reporting in good faith any action or suspected action, taken by or within the organization that is illegal, fraudulent, or in violation of any adopted policy. Further, the DCLA will not retaliate against any trustee, officer, employee or volunteer who files a complaint, testifies, or assists in any complaint made under this policy or with a court or government agency. In addition, the Library will not retaliate against an employee for opposing any practices that are prohibited under any federal or state employment regulation.

Moreover, a volunteer or employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

Reporting a Violation – Library Employees and Volunteers

Whenever possible, an employee or library volunteer should seek to resolve concerns by bringing issues directly to his/her supervisor. However, if the employee or volunteer does not believe the issue is being properly addressed, he/she may contact the Executive Director, who will obtain all necessary information and report the incident to Board Executive Committee. If the Executive Director has a concern, he/she should report the incident to the Board Executive Committee. If an employee or volunteer has a complaint involving the Executive Director, he/she should report the incident to the Board Executive Committee. Whenever practical, complaint reports should be in writing.

Reporting a Violation - DCLA Trustees

DCLA trustees may submit concerns directly to the Board Executive Committee, which will obtain all necessary information and address the complaint. Whenever practical, complaint reports should be in writing. If the concern involves a member of the Board Executive Committee, the individual involved should recuse him/herself from the investigation.

Handling of Reported Violations

The Board Executive Committee will investigate all reports filed in accordance with this policy with due care and promptness. The Board Executive Committee will determine if the allegations are true, whether the issue is material and what actions, if any, are necessary to correct the problem. The Board Executive Committee shall promptly -generally within ten business days- acknowledge receipt of the complaint to the complainant if the identity of the complainant is known and proceed with an investigation and reporting as described above. After the conclusion of the investigation, the Board Executive Committee will issue a full report of all matters raised under this policy to the full DCLA Board.

Acting in Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the matter raised is a serious violation of law or policy or a material accounting or auditing matter. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, with gross negligence, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense which may result in discipline up to and including dismissal from the position or termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

Confidentiality

Reports of concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible. However, consistent with the need to conduct an adequate investigation, the DCLA cannot guarantee complete confidentiality. Disclosure of information relating to an investigation under this policy by the Executive Director, or DCLA trustees, or others involved with the investigation of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and, with respect to employees, may result in discipline, up to and including termination of employment. Depending on the circumstances, such conduct may also give rise to other actions, including civil or criminal lawsuits.

Conflicts of Interest

If the complaint involves the Executive Director, a trustee, or general counsel, the involved individual(s) will not be permitted to participate in the consideration of the complaint or the determination of what, if any, action needs to occur with regard to the complaint. If such involvement excludes the majority of the Board Executive Committee from participating in the process, the investigation will be assigned by the President of the Board to another board committee without similar conflicts. In the event that the President of the Board has a conflict of interest, the investigation will be assigned to the remaining members of the Board Executive Committee.

A copy of this policy will be distributed to all directors, trustees, officers, employees, and to volunteers who provide substantial services to the DCLA.

Approved by the DCLA Board in the Board Meeting of 8_21_2014