

OLIVE FREE LIBRARY

WHISTLEBLOWER POLICY

Olive Free Library is committed to upholding the highest standards of ethical, moral and legal business conduct, and transparency through open communication. Accordingly, all trustees, officers, employees and volunteers are required to comply with applicable federal, state and local laws, and must faithfully implement and adhere to Olive Free Library's own bylaws and policies in conducting their duties and responsibilities.

This policy provides an avenue for all trustees, officers, employees and volunteers to report any known or suspected conduct contrary to these standards without fear of intimidation, harassment, discrimination or retaliation.

Employee definition

Employee means an individual who performs services for and under the direction of the Olive Free Library Director or Board of Trustees for wages or other remuneration, including former employees, or natural persons employed as independent contractors to carry out work in furtherance of an employer's business who are not themselves employers.

Volunteer definition

Volunteer means an individual who freely performs services or tasks for and under the direction of the Olive Free Library Director or Board of Trustees without compensation or other remuneration

Reporting responsibility

All trustees, officers, employees and volunteers of Olive Free Library have a responsibility to report known or suspected violations of library policies, finances, or governance. "Known or suspected violations" include but are not limited to the following:

- incorrect financial reporting
- unlawful activity
- activities that are inconsistent with Olive Free Library policies and bylaws
- activities which otherwise amount to serious improper conduct
- providing truthful information in connection with an inquiry or investigation by a court, agency, law enforcement, or other governmental body.
- any violation of local/state regulations.

Procedure

Oversight

The Olive Free Library board of trustees shall oversee adoption and implementation of this policy and monitor compliance.

Compliance Officer

The Compliance Officer shall be the president of the board of trustees. Should the Compliance Officer be the subject of the report, then the remaining members of the board shall appoint another member of the board to perform the Compliance Officer's role regarding the allegations. The Compliance Officer or appointee shall be responsible for administering this policy, overseeing an investigation, and reporting to the board. The Compliance Officer or appointee shall report to the board at least annually on compliance activity.

Reporting

All reports should be made using the Whistleblower Reporting Form, attached as Appendix A, which will be available on the library website. Trustees, officers, employees and volunteers should promptly report alleged violations to the Compliance Officer. If the reporter deems it inappropriate to file the report with the Compliance Officer, the report may be submitted to the vice-president or secretary of the board of trustees. Any such reports received by the president, vice-president, or designee shall be forwarded to the board.

Anonymous reporting

With the exception of a person's report of their own violation, the reporter shall not be required to provide their name on the form. However, anonymous reports must include sufficient information, including but not limited to: name of the person against whom the report is being made, date of the incident, and a description of the incident, so that an investigation can be conducted.

Handling reports

The board of trustees shall provide the reporter a timely acknowledgment of receipt of the report if name is provided. All reports submitted will be placed on the agenda for the next scheduled meeting of the board. An appropriate investigation will be undertaken by the board, legal counsel, or other designee if deemed appropriate by the board. A report summarizing the findings will be given to the reporter within 10 business days of the board meeting, if the reporter's name is provided on the Whistleblower Reporting Form. If more than 10 business days from the date of the board meeting are needed to complete a thorough investigation, the reporter will be notified in writing of an estimated date when the investigation will be completed.

Results of investigation

If the investigation establishes that a violation of law, external regulation or Olive Free Library policy or bylaw has occurred, then the board of trustees shall determine the appropriate action based upon law and Olive Free Library policy. Civil or criminal prosecution will be pursued when warranted. If the investigation establishes that no violation of law, external regulation or Olive Free Library policy has occurred, then the board shall report its findings and determination. The investigation is closed when the Compliance Officer has deemed the investigation is complete and the board has approved a recommendation for a resolution and/or corrective action.

Documentation

The Compliance Officer shall document the investigation and explain the rationale for any recommended resolution and/or corrective action. All documentation relating to the investigation shall remain in Olive Free Library's records for at least five years.

Confidentiality

All violations or suspected violations may be submitted on a confidential or anonymous basis. Reports will be kept confidential to the extent possible, consistent with federal and state law and the need to conduct an adequate investigation and prevent or correct suspected action(s). The Compliance Officer shall disclose information relating to a report with those who have a need to know so that the board of trustees can conduct an effective investigation and determine what action to take. In appropriate cases, the

investigation documents will be shared with law enforcement personnel. Disclosure of reports to individuals not involved in the investigation shall be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal, termination or civil lawsuits.

Protection against retaliation

Any Olive Free Library trustee, officer, employee or volunteer who reports known or suspected violation(s) in good faith shall not suffer intimidation, harassment, discrimination or other retaliation. In the case of an employee, adverse employment actions or threats to take such adverse employment actions against an employee shall include but is not limited to discharge, suspension, or demotion and actions or threats to take such actions that would adversely impact a former employee's current or future employment. Protection against retaliation shall also include threatening to contact or contacting United States immigration authorities or otherwise reporting or threatening to report trustees, officers, employees and volunteers suspected citizenship or immigration status or the suspected citizenship or immigration status of family or household members to a federal, state, or local agency.

Regulations

Discipline for retaliatory conduct

Retaliation is a serious violation of this policy and should be reported immediately to the president of the board of trustees. Depending on the nature and seriousness of the offense, Olive Free Library will impose appropriate discipline against any trustee, officer or employee found to have engaged in any form of retaliatory conduct against an individual reporting suspected or actual wrongful action(s) in accordance with this policy, up to and including dismissal or termination, and referral to the New York State Board of Regents for possible removal of a trustee, pursuant to New York State Education Law Section 226. Volunteers that engage in any such conduct will not be permitted to volunteer in Olive Free Library activities.

Good-faith reporting

Any Olive Free Library trustee, officer, employee or volunteer who files a report concerning a violation or suspected violation must do so in good faith and have reasonable grounds for believing the information in the report indicates a violation under this policy. Olive Free Library will impose appropriate discipline against any trustee, officer or employee found to have knowingly made a report/complaint in bad faith, up to and including dismissal or termination, and referral to the New York State Board of Regents for possible removal of a trustee, pursuant to New York State Education Law section 226. This includes, but is not limited to, giving false information or making a report in retaliation. Volunteers that engage in any such conduct will not be permitted to volunteer in Olive Free Library activities.

Distribution of policy

This policy shall apply to and be distributed to all Olive Free Library employees, trustees, officers, and volunteers at the time of appointment or hiring and when amendments are made to it. This policy shall be posted conspicuously in an easily accessible place customarily frequented by employees, trustees, officers and volunteers.

Approved and adopted by the Olive Free Library Board of Trustees _____