



Whistleblower Protection Policy

1. Overview

Town of Landis requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Town of Landis, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

2. Purpose

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the Town of Landis can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of the Town of Landis's code of ethics or suspected violations of law or regulations that govern the Town of Landis's operations.

3. Scope

No Retaliation

It is contrary to the values of the Town of Landis for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of the Town of Landis. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, poor work assignments and threats of physical harm. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Reporting Procedure

The Town of Landis has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Human Resources Officer. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Town of Landis's Human Resources Officer, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor, the Town Manager, or the Human Resources Officer. The Human Resources Officer will

advise the Town Manager of all complaints and their resolution and will report to the Finance Officer on compliance activity relating to accounting or alleged financial improprieties. Any concerns involving the Human Resources Officer should be reported to the Town Manager.

Individuals Protected:

- ✚ The employee, or a person acting on behalf of the employee, who reports to a public body or is about to report to a public body a matter of public concern;
- ✚ The employee who participates in a court action, an investigation, a hearing, or an inquiry held by a public body on a matter of public concern.

Compliance Officer

The Town may elect to designate a Compliance Officer who is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer may be a board member, the Town Manager, or a third party designated by the organization to receive, investigate and respond to complaints. The Compliance Officer would perform these responsibilities in lieu of the Human Resources Officer. Should a Compliance Officer be appointed, they will be listed at the end of this policy and subsequently updated each time a new officer is appointed.

Accounting and Auditing Matters

The Human Resources Officer shall immediately notify the Finance Officer of any concerns or complaints regarding Town accounting practices, internal controls or auditing and work with the Finance Officer until the matter is resolved.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Human Resources Officer will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Policy Exceptions

- ✚ The Town of Landis is not required to compensate an employee for participation in a court action or in an investigation, hearing, or inquiry by a public body;
- ✚ The provisions of this policy do not authorize the disclosure of information that is legally required to be kept confidential

- ✚ Before an employee initiates a report to a public body on a matter of public concern under this policy, the employee shall submit a written report concerning the matter to the Town Manager. However, the employee is not required to submit a written report if he or she believes with reasonable certainty that the activity, policy, or practice is already known to the Town Manager or that an emergency is involved.
- ✚ The whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures.

Relief and Penalties

- ✚ A person who alleges a violation of this policy may bring a civil action and the court may grant appropriate relief.
- ✚ A person who violates or attempts to violate this policy is also liable for a civil fine of not more than ten thousand dollars (\$10,000.00).

DTSA Compliance

The principles of this policy are consistent with the federal Defend Trade Secrets Act (DTSA). In the event of a conflict, the DTSA supersedes any conflicting policies within.

Date approved by Board: _____