

Human Resources Policy

WHISTLE BLOWER POLICY

The Town of New Canaan is committed to lawful and ethical behavior and requires its employees, officials, volunteers and contractors to conduct themselves in a manner that complies with all applicable laws and regulations.

Definitions

For purposes of this policy, "Whistleblowing" means reporting what one reasonably and genuinely believes is wrongdoing by another Town employee, contractor, official or volunteer in the course of his or her employment or service for the Town.

Wrongdoing includes, but is not limited to, actual or suspected mismanagement, dishonesty, unethical practices, fraud, neglect, falsification of records, danger to the public safety of health, malfeasance, bribery, theft of government property, unauthorized use, or other forms of misconduct and/or violation of state or federal law or regulation, or any municipal ordinance, regulation, rule and/or policy.

Reporting Process

Any person having knowledge of any wrongdoing occurring in any Town department, Board or Commission of the Town or any contractor, must report such matter(s) in accordance with the reporting guidelines, below. Once reported, the Department Head, Town Director of Human Resources and/or Personnel Advisory Board shall investigate and report their findings to the Town Attorney and the appropriate Appointing Authority.

Reporting Guidelines

If an employee has knowledge or a concern as defined above the employee should use the following guideline for reporting:

- If the matter does not involve an immediate supervisor then the employee can report the concern to him/her.
- If the matter does involve an immediate supervisor or, if an employee prefers, he/she may report the concern to the next person in the chain of command up to and including the Department Head.
- If an employee believes the multiple levels in the chain of command may be involved or, if the employee prefers, an employee may go to the Personnel Advisory Board, the Director of Human Resources or the Town Attorney.
- "Whistleblowers" have a responsibility to be prepared to be interviewed by, and candid with, those to whom they make a report of alleged improper activities and

shall cooperate by setting forth all known information regarding any reported allegations. The Town will make efforts to protect confidentiality and retaliation against the "Whistleblower" is prohibited. The deliberate failure to provide needed information known to the "Whistleblower" regarding actual or suspected misconduct of another Town employee or official may mean no investigation will be initiated and/or, depending on the circumstances in rare instances could be subject to disciplinary action.

- Anonymous "whistleblowers" must provide sufficient corroborating evidence to justify the commencement of an investigation. An investigation of unspecified wrongdoing or broad allegations will not be undertaken without verifiable evidentiary support. Because investigators are unable to interview anonymous whistleblowers, it may be more difficult to evaluate the credibility of the allegations and therefore, less likely to cause an investigation to be initiated.
- An employee who makes a report that is known to be false, whether made orally or in writing, is not a "Whistleblower" for purposes of this policy. Such false reporting is itself considered an improper governmental activity which the Town has the right to act upon and may result in disciplinary action for the employee.

Internal Investigation Regarding Misconduct

Employees are advised that the responses given by employees to specific questions regarding their official duties in the course of internal investigations, may not be used against them in any subsequent criminal proceedings. Employees are required to cooperate with internal investigations and must answer specific questions relating to the employee's official duties. The refusal to answer such questions shall be grounds for immediate dismissal.

In the case of suspected criminal conduct reported by a "Whistleblower", the Town may elect to refer such allegations to an appropriate public agency for potential investigation before any internal investigation is undertaken by the Town relevant to employee misconduct. In such cases, if determined appropriate by the supervising authority in consultation with the Director of Human Resources, the employee suspected of criminal misconduct may be placed on administrative leave.

Confidentiality

Insofar as possible, the confidentiality of the "Whistleblower" will be maintained. However, an employee's identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

Retaliation Prohibited

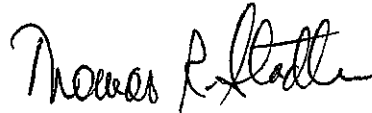
Any individual that makes a report in good faith will not be discharged, disciplined, threatened, harassed, penalized or discriminated against for reporting what they perceive to be wrongdoing in violation of this Policy. Retaliation of any kind toward any employee or applicant who in good faith perceives violations of the Town's policies or participates in any related proceedings will not be tolerated and in the event that a Town employee is found to have retaliated against a "Whistleblower," he/she will be subject to discipline, up to and including termination of employment.

Any individual that feels he/she has been retaliated against under this Policy is encouraged to report such retaliation using the reporting guidelines set forth above. Employees also retain the right the right to file a complaint as provided by law, including with the State of Connecticut Commission on Human Rights and Opportunities.

Approved:



First Selectman:



Administrative Officer:

11-13-12