

## **NEW ROCHELLE PUBLIC LIBRARY WHISTLEBLOWER PROTECTION POLICY**

**I. PURPOSES** The New Rochelle Public Library (NRPL) is committed to honest, ethical and lawful conduct, full, fair, accurate, timely and transparent disclosure in all public communications, and compliance with applicable laws, rules and regulations. In furtherance of these commitments, all trustees, employees and volunteers of the NRPL (each, a “Covered Person” or “you”) must act in accordance with all applicable laws and regulations, and with the policies of the NRPL at all times, and assist in ensuring that the NRPL conducts its business and affairs accordingly. This Whistleblower Protection Policy (a) establishes procedures for the reporting and handling of concerns regarding action or suspected action taken by or within the NRPL that is or may be illegal, fraudulent or in violation of any policy of the NRPL, as well as any other matter that could cause serious damage to the NRPL’s reputation (each, a “Concern”), and (b) prohibits retaliation against any Covered Person who reports a Concern in good faith. By appropriately responding to Concerns, we can better support an environment where compliance is valued and ensure that the NRPL is meeting its ethical and legal obligations.

**II. WHEN TO RAISE A CONCERN** You have an affirmative duty to disclose to and seek guidance from an appropriate Department Head or supervisor if you have reasonable cause to suspect any Covered Person or other person associated or doing business with the NRPL has engaged, is engaging, or may engage in any illegal or unethical behavior or has violated, or may violate any law, rule, regulation or policy of the NRPL. Such reportable activity may include, for example, financial wrongdoing (including circumvention of internal controls or violation of the accounting policies of the NRPL), fraud, harassment, or any other illegal, unethical, or proscribed conduct, including improper governmental action whether or not such action is within the scope of an employee’s employment. While Concerns may be submitted at any time, you should endeavor to report a Concern as soon as reasonably possible after becoming aware of the matter.

**III. HOW TO RAISE A CONCERN** Concerns may be submitted either in writing or orally. No form is required to submit a Concern, but you are encouraged to provide as much information and detail as possible so that the Concern can be properly investigated. A Concern may be submitted in writing (1) to the Director of the NRPL, (2) to the Board of Trustees or an individual Library Trustee, or (3) to a Department Head or your immediate supervisor, or by discussing it with any of the above. Concerns may be raised anonymously; provided, however, that any individual reporting his or her own violation shall not satisfy his/her obligation hereunder with a Concern raised anonymously.

**IV. PROCEDURES FOR RECEIVING AND REVIEWING CONCERNS** Any Department Head, supervisor or Trustee receiving a Concern should contact the Director, who will coordinate further action (unless the concern is regarding the Director, then all such Concerns should be addressed to the Board of Trustees). The Director will assess each Concern on a preliminary basis to determine to what extent an investigation into the Concern is required, and will direct all aspects of the investigation of any Concern. All investigations will be conducted in a confidential and sensitive manner, so that information will be disclosed only as needed to facilitate review of the investigation materials or otherwise as required by law. You must cooperate as necessary in connection with any such investigation. In the event a Concern involves or implicates the Director, the Director will promptly recuse himself or herself from the investigation and inform the Board of Trustees in writing. The Board of Trustees may investigate such Concern or appoint impartial attorneys to investigate the Concern.

**V. RECORDS OF CONCERNS AND INVESTIGATION REPORTS** The Director will maintain a written record of all Concerns summarizing in reasonable detail for each Concern: the nature of the Concern (including any specific allegations made and the persons involved); the date of receipt of the Concern; the current status of any investigation into the Concern and information about such investigation (including the steps taken in the investigation, any factual findings, and the recommendations for corrective action); and any final resolution of the Concern. Director will distribute an update of this record to the President of the Board of Trustees in advance of each regularly scheduled meeting.

**VI. CONFIDENTIALITY** All Concerns received will be treated confidentially or anonymously, as applicable, to the extent reasonable and practicable under the circumstances.

**VII. NO RETALIATION AGAINST WHISTLEBLOWERS** It is the NRPL’s policy to encourage the communication of bona fide Concerns relating to the lawful and ethical conduct of the NRPL’s business. It is also the policy of the NRPL to protect those who communicate bona fide Concerns from any retaliation for such reporting. No adverse employment action affecting compensation, appointment, promotion, transfer, assignment, reassignment or evaluation of performance

may be taken and retaliation is strictly prohibited, including, without limitation, intimidation, harassment, discrimination, coercion, or otherwise, whether express or implied, against any employee or volunteer of the NRPL who in good faith reports any Concern or assists in an investigation of, or the fashioning or implementation of any corrective action or response made in connection with, any Concern. Any whistleblower who is concerned that retaliation for providing information in accordance with this policy has occurred should report the same immediately to the Director or Board of Trustees. Any person who violates this prohibition against retaliation will be subject to appropriate disciplinary action, which may include termination of employment or other relationship with the NRPL.

An employee may invoke a whistleblower defense pursuant to this policy in any disciplinary proceeding or litigation if he or she believes that adverse action has occurred by reason of whistleblowing as described above.

**VIII. POLICY DISTRIBUTION** A copy of this policy will be distributed to each Covered Person promptly following the adoption of or amendments to this policy, and at such time as a person becomes a Covered Person.

**IX. POLICY ADOPTION AND OVERSIGHT** The Board of Trustees is responsible for providing oversight of the adoption and implementation of, and compliance with this policy. Only Trustees satisfying the definition of “independence” pursuant to applicable law are permitted to participate in any deliberations or vote on matters relating to this policy.

*Adopted by the New Rochelle Board of Trustees on January 12, 2017.*