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Town of Dewey Beach Whistleblower Protection Policy.

It is vital to the transparency and good governance of the ~~town~~Town of Dewey Beach "Town" that its citizens, and, the employees of the Town, be able to bring to light serious concerns regarding the governance, legal responsibility and fiduciary duties of the Town, its employees and its representatives. This Whistleblower Policy is intended to encourage ~~and enable employees and others to raise serious concerns internally, in a timely~~ reporting of concerns in a productive manner, so that allowing the Town of Dewey Beach ~~can to~~ address and correct inappropriate conduct and actions. It is the responsibility of all commissioners, officers, employees and volunteers to ~~report concerns~~raise awareness in an appropriate manner of ~~about~~ violations of the Town of Dewey Beach's Code of Conduct or suspected violations of law or regulations that govern the Town of Dewey Beach's operations.

No Retaliation

Any commissioner, 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 Dewey Beach shall not be subject to retaliation. Additional protection from retaliation for employees is also available through the Delaware Whistleblowers' Protection Act (74 Del. Laws, c. 361, § 1). 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.

Reporting Procedure-Open Door

The Town of Dewey Beach has an open-door policy and employees should share their questions, ~~and concerns,~~ suggestions ~~or complaints~~ with their supervisor. If ~~you~~they are not comfortable speaking with ~~your~~their supervisor, or ~~you~~ are not satisfied with ~~your~~their supervisor's response, ~~you~~they should speak with the Town Manager directly.

Reporting Procedures

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Employees with concerns or complaints should submit their concerns in writing or e-mail directly to their supervisor or the Town Manager. Supervisors and managers are required to report complaints or concerns in a timely manner about suspected ethical or legal violations in writing or e-mail to the Town of Dewey Beach's Town Manager, who has the responsibility to investigate all reported complaints. If a concern or a complaint involves the Town Manager, the concern or complaint should be submitted directly to the Town ~~Commissioners~~.

Comment [DC1]: Will we allow anonymous complaints?

The Town shall utilize either a Human Resources employee (if the position is staffed) or an external Human Resources Consultant to assist with submission of complaints and investigating the complaint and legal remedy. Legal counsel may be brought in as needed.

Accounting and Auditing Matters

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The Town of Dewey Beach's Town Manager shall immediately notify the Audit Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee 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 or which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense and may result in discipline up to and including dismissal from the volunteer position or termination of employment.

Investigation and Resolution of Complaints

The Town of Dewey Beach's Town Manager is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. An employee who submits a complaint will be informed that a prompt, confidential investigation will be conducted, corrective action taken, if warranted, and, irrespective of the conclusions reached as a result of the investigation, there will be no retaliation for submitting the complaint. The Town Manager will advise the Town Commissioners of all complaints and provide updates during the investigation and their resolution and will report at least quarterly to the Audit Committee on compliance activity relating to accounting or alleged financial improprieties.

Comment [DC2]: Advising the town commissioners of all complaints is likely to discourage reporting, increases the chances of retaliation and may go against the confidentiality statement below... Maybe the Mayor is advised of all investigations and commissioners advised upon actionable incidents?

All employees and supervisors have a duty to cooperate in the investigation of alleged discrimination, harassment, or illegal conduct. Failure to cooperate or deliberately providing false information during an investigation shall be grounds for disciplinary action, including termination.

Because the ~~town~~-Town takes allegations seriously, the Town Manager will respond promptly to complaints and where it is determined such conduct has occurred, prompt action will be taken to eliminate the conduct and impose corrective actions, including disciplinary actions as necessary.

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.

Comment [DC3]: Is the intent to allow anonymous reporting because as stated above all submissions will be reported to commissioners.

Disclosure of violations or suspected violations to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment.

Comment [DC4]: Commissioners not likely involved in the investigation. Mayor may be as he works with Town Manager to coordinate legal remedies.