

Administrative Policy

Good Faith Reporting (Whistleblower) Policy

INTERNAL PROCEDURES FOR REPORTING OF IMPROPER GOVERNMENTAL ACTION AND PROHIBITING RETALIATION FOR GOOD FAITH REPORTING

Longview Housing Authority strives to conduct its business with the utmost integrity and in strict accordance with all applicable federal, state and local law. Accordingly, employees are encouraged to bring to the attention of the Authority any improper actions of Authority officials and employees. The Authority will not retaliate against any employee who makes such a disclosure in good faith and in accordance with the procedures set forth in this policy.

Improper actions are actions undertaken by an officer or employee in the performance of his or her official duties, which:

- a. are in violation of any federal, state or local law
- b. constitute an abuse of authority
- c. create a substantial and specific danger to public health or safety
- d. grossly waste public funds

Improper actions do not include common personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing and other discipline, or alleged violations of labor (collective bargaining) agreements, employment contracts or policies or procedures set forth in the Authority's Personnel Policy Handbook.

REPORTING PROCEDURE

Misconduct can often be corrected most expeditiously if handled internally. Accordingly, an employee who has a good faith concern that improper action has occurred or is about to occur must first raise that concern with the Authority. Specifically, the employee must submit his or her concerns and related information ("Complaint") in writing to the Executive Director.

In the event the Complaint concerns the Executive Director, the same shall be submitted to the Board of Commissioners. The identity of a reporting employee will be kept confidential to the fullest extent possible under the law, unless the

reporting employee provides written authorization for disclosure. The employee may report under this policy through a union business representative or attorney.

The Authority shall have ten (10) working days to address the Complaint raised by the reporting employee and provide the reporting employee with a written response which identifies the alleged improper action at issue, describe the scope and findings of the investigation, states what, if any, action will be taken against the offending officer(s) and/or employee(s), and explains why such action is appropriate.

If the reporting employee is not satisfied with the investigation and/or resolution of the complaint, the reporting employee may request reconsideration in writing within five (5) working days of receipt of the Authority's written response. Written requests for reconsideration must be submitted to the Board of Commissioners and must identify the specific elements of the Authority's investigation or written response which the reporting employee finds unsatisfactory.

The Authority has three (3) working days to advise the reporting employee in writing whether reconsideration will be granted. Any reconsideration will be limited to examination of the specific issues raised by the reporting party in his or her written request. The Authority will have five (5) working days from the date reconsideration is granted to complete its additional investigation and provide the employee with a written response.

If a reporting employee is still dissatisfied with the Authority's investigation or response, the reporting employee may disclose the Complaint to an outside agency or organization for further review. Reporting employees may disclose Complaints to outside agencies only after fully exhausting the reporting and reconsideration procedures set forth in this policy. Employees who comply with the policy shall not be subject to discipline or discharge for reporting, disclosure, or other activities subject to the policy.

Deviation from the reporting and reconsideration policy is permitted only in those rare cases where the reporting employee can show that persons or property will be damaged if the alleged improper conduct is not immediately addressed.

Reporting employees who, after exhausting the internal reporting and reconsideration procedures, choose to continue to pursue their Complaints should consider contacting one or more of the following organizations: Office of the

Attorney General; Office of the State Auditor; Regional Office of the Department of Housing and Urban Development, Attn: Regional Investigator General for Audits; or the Office of the Cowlitz County Prosecutor.

All Authority personnel are prohibited from taking any adverse employment action against an employee who registers a Complaint within a public body in accordance with this policy. If an employee believes there has been retaliation for reporting improper actions in accordance with this policy, the employee may seek redress as follows:

1. The employee must provide written notice of the charge or retaliatory action to the Board of Commissioners within thirty (30) days of the date the alleged retaliation action occurred. The notice must describe the alleged retaliatory action and the persons allegedly involved, and identify the relief requested.
2. The Board of Commissioners must respond to the charge in writing within thirty (30) days of its submission. The response must: identify the alleged retaliatory action and persons involved; identify the relief requested; describe the investigation conducted; state and explain the disposition of the charge, and identify the relief, if any, that is being granted and explain why the relief is appropriate;
3. The charging party is entitled to a hearing if he or she so chooses. However, the hearing must be requested in writing within fifteen (15) days of delivery of the Authority's written response to the charge, or, if the Authority fails to respond within the allotted thirty-day period, within fifteen (15) days of the last day upon which the Authority could have responded;
4. Within five (5) working days of receipt of a timely request for hearing, the Authority shall apply to the state office of administrative hearings for an adjudicative proceeding before an administrative law judge;
5. Unless the administrative law judge extends the period, the judge shall issue a final decision no later than forty-five (45) days after the date the timely request for hearing was delivered to the Authority. The administrative law judge's decision is subject to court review.
(Reference to Board Adoption.)

This policy is permanently posted in the Authority policy manual where all employees will have reasonable access to it. Copies of the policy will be distributed to all employees upon adoption, and will be available to any employee upon request.