



POLICY TITLE: Whistleblower Policy

POLICY NO.: PR-26

I. PURPOSE

The Board of County Commissioners expects officers and Employees to observe high standards of business and personal honesty, integrity, and ethics in the conduct of their duties. This Policy is intended to enable Employees to raise concerns about violations of law, gross waste of County funds or property, or gross neglect of duty committed by County officers, Employees, or Independent Contractors.

II. DEFINITIONS

Unless otherwise specified, the following terms have the meanings indicated:

- A. "County" means the Board of County Commissioners of Washington County, Maryland.
- B. "Employee" or "Employees" means a person or persons employed by the County.
- C. "Adverse Personnel Action" means the discharge, suspension, transfer, or demotion of an Employee or the withholding of bonuses, the reduction in salary or benefits, or any other adverse action taken against an Employee.
- D. "Independent Contractor" means a person or entity, other than an Employee, who is engaged in a business and who enters into a contract with the County to provide goods or services to the County.
- E. "Whistleblower" means an Employee who reports an activity that he or she, in good faith, considers a violation of law, gross waste of County funds or property, or gross neglect of duty committed by County officers, Employees or Independent Contractors.

III. EMPLOYEES PROTECTED

This Policy protects the following:

- A. Whistleblowers who disclose information in a written and signed complaint form as provided in Section V of this Policy;
- B. Employees who participate in an investigation, hearing, or other inquiry conducted by the County; and

- C. Employees who refuse to participate in an adverse action prohibited by this Policy.

IV. RETALIATION PROHIBITED

- A. The County shall not dismiss, discipline, or take any other Adverse Personnel Action against a protected Employee as defined in Section III of this Policy.
- B. The provisions of this Policy shall not be applicable if an Employee discloses information known by the Employee to be false.
- C. No immunity is provided under this Policy to any person for his or her own wrongdoing.

V. REPORTING PROCESS

- A. An Employee wishing to disclose information consistent with Section VI of this Policy must file a written and signed complaint form with the County Attorney.
- B. An Employee wishing to disclose information concerning an Adverse Personnel Action prohibited by this Policy must file a written and signed complaint form with the County Attorney within sixty (60) days of the Employee having received notice of the Adverse Personnel Action prohibited by this Policy.
- C. The complaint form referenced in this Section V is available upon request from the County Attorney's Office, the Division of Health and Human Services, or on the County's intranet site at <http://intranet.washco-md.net>.
- D. Upon receipt of a signed and written complaint form, the County Attorney will review the complaint and consult with the appropriate staff for investigation or other resolution.
- E. If the information to be disclosed by an Employee concerns or involves the County Attorney, disclosure will be made to the County Administrator.

VI. NATURE OF WHISTLEBLOWER INFORMATION

The information disclosed by an Employee must concern at least one (1) of the following:

- A. A violation or suspected violation of a federal, State, or local law, rule, or regulation, committed by an officer or Employee of the County or an Independent Contractor;

- B. An act of gross mismanagement, gross waste of public funds, or gross neglect of duty committed by an officer or an Employee of the County or an Independent Contractor; or
- C. An Adverse Personnel Action against a protected Employee as defined in Section III of this Policy.

VII. RULES AND PROCEDURES

The County Administrator is authorized to promulgate such other rules and procedures necessary to effectuate the intent of this Policy.

WHISTLEBLOWER INVESTIGATION CONSENT FORM

Washington County has maintained a policy that all of its employees should be enabled to raise concerns about violations of law, gross waste of County funds or property, or gross neglect of duty committed by County officers, employees or independent contractors. As part of that policy, we are committed to investigating claims related to this policy and taking appropriate disciplinary or other actions when the facts show that a violation has occurred. In order that we may conduct an investigation of your concerns, please complete the form below.

COMPLAINT FORM

NAME:

DATE:

I wish to complain about the following event(s) _____

(Use additional sheets of paper if necessary)

I, _____ (NAME), hereby consent to the County's conducting a complete and thorough investigation of the above complaint. I further authorize the County to disclose to other portions of the information I have provided and may in the future provide, with respect to the complaint, as certain information may have to be released in order to insure that a complete investigation can be conducted.

I acknowledge that I have read and understand the above statements.

Signature of Employee

Date

Should you not wish the County to disclose certain information you have provided, please specify that information below. The County will try to honor such requests consistent with its obligation to identify and correct instances of harassment.

