



Personnel and Administrative Policy and Procedure

SUBJECT: Reporting of Improper Government Action	EFFECTIVE DATE: July 1, 2003 REVIEWED: August 11, 2012 REVISED: March 16, 2016
CATEGORY: 200 POLICY NUMBER: 200.46	CROSS REFERENCE:

Purpose: To convey proper reporting procedures should an employee become aware of improper government action.

Definitions:

Improper Government Action: Action taken by a City employee or official that occurs during the performance of their official duties and that is illegal, an abuse of authority, violation of Personnel Policies and Procedures, or substantial and specific danger to public health or safety, falsification of records, or a gross waste of public funds. It does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restoration, re-employment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining agreements, alleged violations of labor agreements, or reprimands.

Retaliatory Action: Any adverse change in the terms and conditions of the employee's employment due to reporting an improper governmental action.

Objective: To ensure the City of Milwaukie maintains an ethical work place.

Scope: All employees.

Policy: Employees who become aware of improper governmental actions should report the matter in either of the two methods provided to employees; anonymous fraud & ethics hotline or by contacting their supervisor.

The anonymous fraud and ethics hotline is managed by an independent third party. The employee can file a report through a series of questions while remaining completely anonymous.

Alternatively, the employee can contact their supervisor, and should specifically state the basis for the employee's belief that improper action has occurred. If the supervisor does not resolve the matter, or it is believed that the supervisor is involved in the issue, the employee should send a detailed, confidential memo to the Department Head, Human Resources (HR) Director, or the City Manager.

Procedures: All employees can submit an anonymous case through a portal to the fraud and ethics hotline. Once the case is reviewed by the independent vendor, it is sent to the City defined Administrators, unless those individuals are implicated in the case. The independent vendor provides a case number for each case. Employees can use that case number to login, with anonymity, to view the status of the case and/or answer any follow-up questions that may be necessary. The portal can be found on the City's Finance homepage (<http://www.milwaukieoregon.gov/finance/anonymous-fraud-ethics-reporting>) or the employee Intranet site under staff resources.

The employee's supervisor, Department Head, HR Director, or the City Manager is obligated to promptly investigate the reported improper governmental action. The name of the employee reporting the action will remain confidential to the extent possible under the law.

If the complaint is filed with the employee's supervisor, Department Head, HR Director, or the City Manager, the employee placing the complaint may request a summary of the findings. For complaints filed using the fraud and ethics hotline, follow-up will be generated and may be accessed through the portal. Any personnel actions taken are confidential and will not be included in either summary.

Retaliation: If an employee makes a good faith effort to follow the procedures outlined above, he/she is protected from retaliatory action by this policy and under the law. If an employee believes that retaliatory action has been taken, they should report the change to their supervisor, Department Head, or the HR Director. If the complaint is not resolved within thirty (30) days, the employee may forward his/her complaint to the City Manager. The written complaint must state the retaliatory action taken, and the requested relief. The complaint will be investigated and responded to within thirty (30) days.