

WHISTLEBLOWER POLICY

Introduction

The Smithtown Library Code of Ethics and Conduct mandates that Directors, Trustees and employees observe the highest standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Library, there shall be a practice of honesty and integrity in fulfilling responsibilities and complying with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all Directors, Trustees and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

Retaliation

No Director, Trustee, Employee, Former Employee or Independent Contractor who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against one who has reported a violation in good faith is subject to discipline as dictated by the terms of the Collective Bargaining Agreement and Civil Service Law. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Library prior to seeking resolution outside the Organization.

Reporting Violations

The Code provides for an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with one who can address them properly. In most cases, an employee's supervisor will be in the best position to address an area of concern. However, if an employee is not comfortable speaking with his/her supervisor or is not satisfied with his/her supervisor's response, he or she is encouraged to speak with someone in the Administration/Business Office. Supervisors and managers are required to report suspected violations of the Code of Conduct to the Library Director acting as the Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. If the suspected or actual violation concerns the Director, the matter should be reported directly to the President of the Board of Trustees. A matter involving a Trustee should be reported to the President of the Board. For suspected fraud, or when an employee is not satisfied or is uncomfortable with observing the Library's open door policy, individuals should contact the Compliance Officer directly.

Such employer notification shall not be required where: (a) there is an imminent and serious danger to public health or safety; (b) the employee reasonably believes that reporting to the supervisor would result in the destruction of evidence or other concealment of the activity, policy or practice; (c) such activity, policy or practice could reasonably be expected to lead to endangering the welfare of a minor; (d) the employee reasonably believes that reporting to the supervisor would result in physical harm to the employee or any other person; or (e) the employee reasonably

believes that the supervisor is already aware of the activity, policy or practice and will not/has not corrected such activity, policy or practice.

Compliance Officer

The Library's Director is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, shall advise the Board of Trustees at their next Board meeting or sooner if deemed necessary. The Director is required to report at least annually on compliance activity to the Board of Trustees.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious offense warranting discipline up to and including dismissal.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Library Director will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Policy 500-30
Adopted: 2/21/12
Revised: 3/17/2022