

WHISTLEBLOWER POLICY

(Revised 3/21/22)

Declaration of Policy: The South Huntington Public Library (the “Library”) is committed to providing all employees protection from adverse employment action for engaging in protected acts of whistleblowing, as set forth in Civil Service Law §75-b, and any other relevant federal, State or local statutes, regulations, laws or rules.

Whistleblower Protection: The Library will not dismiss or take other disciplinary or other adverse personnel action against an employee because the employee discloses to a governmental body information: (i) regarding a violation of a law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety; or (ii) which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action.

For the purposes of this Policy, “improper governmental action” means any action by a the Library or an employee, or an agent of the Library or employee, which is undertaken in the performance of such agent's official duties, whether or not such action is within the scope of his employment, and which is in violation of any federal, state or local law, rule or regulation.

Anti-Retaliation: Any employee found to have engaged in retaliatory conduct against an individual for exercising their protected whistleblower rights, as outlined above, may be subject to disciplinary action, up to and including termination. Conversely, reports of improper governmental action found to have no merit, and found to have been made in bad-faith may subject the reporting employee to disciplinary action.

Procedures for Reporting:

Consistent with Not-For-Profit Corporation Law §715-b, the Library sets forth the following procedures for reporting and investigating complaints of “improper governmental action”:

- 1) Employees who become aware of “improper governmental action” should first raise the issue with their supervisor. If requested, the employee shall submit a written report to the supervisor stating in detail the basis for the employee's belief that improper governmental action has occurred.
- 2) Where the employee reasonably believes the improper governmental action involves his/her supervisor or the employee is not comfortable speaking with his/her supervisor, the employee should raise the issue with the Library Director. If the violation concerns the Director, the employee should report the matter directly to the President of the Board of Trustees.
- 3) The Library Director, or their designee, shall take prompt action to investigate the reported conduct. Unless required by law, or for other compelling justification,

Library officers and employees involved in the investigation shall, to the extent possible, keep the identity of reporting employee(s) confidential.

- 4) If the employee is not satisfied with the supervisor's response, they are encouraged to speak to anyone in Library administration whom they are comfortable in approaching, including the Library Director.
- 5) The Assistant Director, department heads and supervisors are required to report suspected violations to the Director.
- 6) All reports of improper governmental action are to be reported to the Board of Trustees at the next regular meeting of the Board. The Director shall issue a confidential written report to the Board, with appropriate recommendation(s).
- 7) To the extent that Board deliberation and/or action is necessary, the subject of the complaint shall not be present for such deliberation and/or action, unless called upon to give relevant background or factual information.
- 8) In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the President of the Board of Trustees.
- 9) After an investigation has been completed, the employee reporting the improper governmental action shall receive a written or oral summary of the results of the investigation, except that personnel actions taken as a result of the investigation shall be kept confidential.
- 10) Thereafter, Library employees may report information about the improper governmental action directly to the appropriate government agency which has responsibility for investigating the improper action if the Library employee has a reasonable belief that one of the following two conditions exists:
 - a. A thorough investigation was not undertaken by the Library to determine whether an improper governmental action occurred; or
 - b. Insufficient action has been taken by the Library to address the improper governmental action.