



## Policy

Title:	<b>Whistleblower Policy</b>
Effective Date:	July 15, 2015
Approved By:	President's Council
Responsible Party:	Director of Human Resources
History:	May 1, 2009

### I. PURPOSE:

Salus University is committed to the highest standards of transparency, honesty, integrity, and accountability. Consistent with that commitment, this University policy is intended to encourage an atmosphere that allows its employees and other members of the Salus University community (hereinafter referred to as "individuals") to make good faith reports of suspected wrongful conduct, fraud, corruption, or health and safety concerns within the University to the appropriate University officials. Individuals who report alleged wrongdoings are protected from reprisal by adverse academic or employment action taken within Salus University as a result of having disclosed wrongful conduct. Furthermore, this policy defines the process that will be followed by the University in evaluating and investigating such reports and provides individuals who believe they have been subject to reprisal a process to seek relief from retaliatory acts that fall within the authority of Salus University.

### II. DEFINITIONS:

**Good Faith Report:** an allegation of wrongful conduct made by an individual who believes that wrongful conduct may have occurred. An allegation is not in good faith if it is made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

**Wrongful Conduct:**

- A violation of applicable state and/or federal laws and regulations
- A serious violation of University policy
- The use of University property, resources, or authority for personal gain or other non-University related purpose, except as provided under University policy

**Whistleblower:** a person who exposes any kind of information or activity that is deemed illegal, dishonest, or not correct within the University.

### **III. POLICY:**

Individuals are expected to abide by University policies, federal, state and local applicable laws and regulations. Furthermore, a Salus University employee cannot be compelled by a supervisor or other University official to violate a law or University policy. In the interest of the University, individuals who have knowledge of specific acts which he or she reasonably believes violates the law or University policy must disclose those acts to an appropriate University official.

### **IV. PROCEUDRE**

Individuals are expected to abide by University policies, federal, state and local applicable laws and regulations. Furthermore, a Salus University employee cannot be compelled by a supervisor or other University official to violate a law or University policy. In the interest of the University, Individuals who have knowledge of specific acts which he or she reasonably believes violates the law or University policy must disclose those acts to an appropriate University official.

#### **A. Making disclosures**

- Any University employee or other party with a complaint or concern regarding the issues described in this policy may submit any such concern or complaint on a confidential and/or anonymous basis if so desired.
- Concerns or complaints may be made in person, by telephone or in writing and delivered to the University Compliance Officer [The University maintains a compliance e-mail address as well as a phone number whereby reports can be made.] If the reporting party's complaint concerns the University Compliance Officer, reports are to be directed to the Director of Human Resources.
- Receipt of the complaint will be acknowledged in writing, where possible. If a complaint is made in writing and the complainant wishes to submit that complaint anonymously, s/he must nevertheless provide contact information if s/he wishes to receive acknowledgement of receipt of the complaint.
- Concerns that should be reported include:
  - Good faith questions regarding the legality or propriety of any action taken or to be taken by the University, or on its behalf by one of its officers, directors, employees, or agents, and
  - A good faith belief that some action needs to be taken for the University to be in compliance with law. This includes, but is not limited to, fiscal misconduct, fraud, conduct that is not honest and/or ethical, and in violation of law, regulation or ordinance.

#### **B. Complaint Investigation**

- Following the receipt of a complaint, the Compliance Officer will promptly investigate each matter that has been reported and recommend corrective and/or disciplinary action, as appropriate. Disciplinary actions may include a warning or letter of reprimand, demotion, suspension without pay, or termination of employment.
- The Compliance Officer may enlist University employees, students, or outside legal, accounting or other advisors, as appropriate, to assist in the investigation of a complaint. While conducting an investigation the Compliance Officer shall, to the extent possible, protect the identity of the

complainant if the complainant has so requested. Confidentiality will be maintained to the extent possible, consistent with applicable laws and the need to conduct an adequate investigation.

- The Compliance Officer shall present findings of fact based on the evidence and a recommendation to the President of the University who will render a decision and determine the appropriate corrective or disciplinary action, if any. The President may delegate his or her duties under this policy. If a complaint pertains to conduct by the President, the Compliance Officer's findings and recommendation shall be submitted to the Chair of the Board of Trustees.
- The Compliance Officer shall retain as part of his/her records any complaints or concerns for a period of no less than seven (7) years and shall maintain a record of its efforts to investigate and resolve any complaints or concerns.

### **C. Protection of employees reporting violations**

- The University is committed to protecting employees, its agents, and students from interference with submitting complaints and will not tolerate any coercion, intimidation, retaliation, interference, or discrimination against an employee, student, or University agent for submitting a complaint in good faith or for assisting or cooperating in the investigation of a complaint.
- An employee must make a reasonable attempt to ascertain the correctness of any information that the employee reports.
- An employee may be subject to disciplinary actions, including suspension or dismissal, for knowingly furnishing false information as determined by the employee's appointing authority or the appointing authority's designee.
- An employee disciplined under this section is entitled to process an appeal of the disciplinary action either directly with the Director of Human Resources or under the procedure set forth in the faculty policy or applicable collective bargaining agreement adopted by the University..

### **D. Correcting a violation**

- If a good faith effort is not made to correct a violation within a reasonable time, the reporting individual may submit a written report of the incident to any person, agency, or organization.

The University reserves the right, in its sole and absolute discretion, to interpret and amend this policy. This policy does not create a contract and should not be interpreted as creating a contract of any kind.