

CITY OF PLACENTIA'S REPORTING OF FRAUD, VIOLATION OF LAW, AND UNETHICAL BUSINESS CONDUCT AND PRACTICES POLICY

The City of Placentia strives to conduct all its activities in a responsible, legal and accountable manner. In furtherance of this goal, all City of Placentia employees are encouraged to report either orally or in writing to their immediate supervisor, or alternate line of authority as hereafter described, all information of activity by a City of Placentia department or employee that may constitute:

- A violation of federal or state law or city ordinance
- Financial fraud
- Substantial or specific danger to the employee's or public's health and safety
- Unethical business conduct and practices

Any City of Placentia employee who, in good faith, reports such incidents as described above will be protected from threats or retaliation, discharge, or other types of discrimination, including but not limited to, compensation or terms and conditions of employment that are directly related to the disclosure of such reports. In addition, no employee may be adversely affected because the employee refused to carry out a directive, which in fact, constitutes fraud or is a violation of federal or state law.

Insofar as possible, the identity of the reporting employee will remain confidential. However, the City of Placentia reserves the right to disclose the identity of the reporting employee if, in the City of Placentia's absolute discretion, the identity may have to be disclosed to conduct a thorough investigation, to comply with applicable laws and/or to provide accused individuals their legal rights of defense.

Any employee who wants to report information of alleged improper activity or unlawful activity as described above should visit the Fraud Hotline website at www.placentia.org/fraudhotline to report any suspected incidents of fraud, waste, or abuse. Employees are encouraged to provide as much specific information as possible including names, dates, places, and events that took place, the employee's perception of why the incident(s) may be a violation, and what action the employee recommends be taken.

Elected officials, commissioners, citizens, contractors or any others are also encouraged to report such alleged improper activity in accordance with this policy.

Expectations

City employees shall adhere to and uphold this policy both in practice and in spirit.

Reporting

Employees are expected to report all violations or suspected violations of this policy to management in a timely and professional manner. The City recognizes that the reporting party may desire or require anonymity. Thus, anonymous reports or concerns may be reported by any party to the City Administrator or the City Council. Additionally, employees, council, or residents may report incidents online or via the Fraud Hotline at www.placentia.org/fraudhotline and choose to provide their contact information or remain completely anonymous. It is the duty of every employee to report any known violation of this policy or what would appear to a reasonable person to be a violation of this policy. Employees are reminded that they may report anonymously any actions that detract from the efficiency and effectiveness of City operations including, but not limited to, fraud, waste, abuse, ethics violations, retaliation, discrimination, and safety violations. It is a violation of this policy to retaliate against an employee who makes a report anonymously under California Labor Code Sections 1102.5 and 1106. The California State Attorney General's Whistleblower Hotline number is (800) 952-5225.

Investigation and Enforcement

All violations or alleged violations of this policy will be investigated. Reported incidents at the City's dedicated website www.placentia.org/fraudhotline will be investigated by the City officials and/or attorney depending on the severity of the report and implicated individuals. As stated above, it is the duty of every employee to cooperate in an investigation involving a violation or an alleged violation of this policy. Upon the request of the City, an employee will participate and fully cooperate in any investigation, whether conducted by the City or its agent(s). If as a result of a good faith investigation and a resultant reasonable conclusion that a violation of this policy has occurred, the offending employee may be subject to disciplinary action up to and including termination.

Related Policies

City employees are responsible to adhere to all City policies. Four City policies that are directly related to this Reporting of Fraud, Violation of Law, and Unethical Business Conduct and Practices Policy are:

- 303 Electronic/Communications Equipment
- 303A Computer Resources: Internet & Electronic Mail, Use and Records Retention
- 314 Gifts and Gratuities
- 316 Nepotism
- 317 Nepotism: Administrative Procedures Limiting
- 348 Vehicle Usage
- 352 Code of Core Values and Ethics

Acknowledgement

All current employees are required to provide written acknowledgement that they have received and read this policy by June 30, 2016. All new employees of the City will be required to provide written acknowledgement that they have received and read this policy at the time of hire. The required acknowledgement form is provided as Attachment 1.

Attachment 1

Acknowledgement of City of Placentia's Reporting

Of Fraud, Violation of Law, and Unethical Business Conduct and Practices Policy

I have received a copy of and I am fully aware of the City of Placentia's Reporting of Fraud, Violation of Law, and Unethical Business Conduct and Practices Policy. I agree to abide by the terms of this policy.

Employee Name: _____

Employee Signature: _____

Date: _____

This form shall be retained in the employee's personnel file.