

POLICY



Whistleblower Protection

Regulation—Law—DHHS Policy:

Council on Accreditation Standards (8th ed.): ETH 4, HR 1, HR 4.05, HR 5.02, TS 2.01

Mental Health Agency Licensing Standards:

Maine Rights of Recipients of Mental Health Services:

Whistleblower Protection Act of 1989

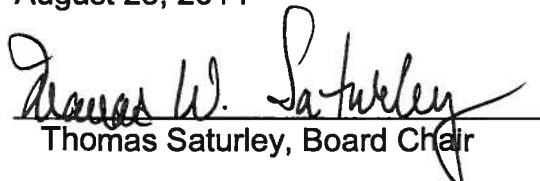
Maine Whistleblower Protection Act 26 MRSA §831

Approval Date:

Effective Date:

Revision Date: August 28, 2014

APPROVAL:


Thomas Saturley, Board Chair

DATE: 10-23-14

POLICY:

This policy is intended to encourage Board members, staff (paid and volunteer) and others to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution. Examples of illegal or dishonest activities are violations of federal, state or local laws; billing for services not performed or for goods not delivered; and other fraudulent financial reporting.

Reporting:

- The Whistleblower should promptly report the suspected or actual event to his/her supervisor or one of the following individuals: President, Chief Financial Officer, Chief Program Officer, Senior Vice President of Human Resources, and an appropriate Board Committee or member.
- The Whistleblower can report the event with his/her identity or anonymously.
- Supervisors, managers and/or Board members who receive the reports must promptly act to investigate and/or resolve the issue.
- The appropriate management representative will investigate and report back to the Whistleblower within a reasonable time of the initial report, regarding the investigation, disposition or resolution of the issue. A copy of the report shall be submitted to the President.

Protections:

Whistleblower protections are provided in two important areas – confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be

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disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense

The Agency will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. If the whistleblower believes that s/he has been retaliated against, s/he should refer to the Dispute Resolution Policy for appropriate steps to seek resolution.

The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated. Anyone who retaliates against the Whistleblower (who reported an event in good faith) will be subject to discipline, including termination of Board or employee status.

A whistleblower who makes a report that is not done in good faith is subject to discipline, including termination of the Board or employee relationship, or other legal means to protect the reputation of the organization and members of its Board and staff.

Rights:

If the investigation of a report, that was done in good faith and investigated by internal personnel, is not to the Whistleblower's satisfaction, then he/she has the right to report the event to the appropriate legal or investigative agency

Actions:

In accordance with this policy, the Agency will investigate all allegations of illegal, unethical or inappropriate events (behaviors or practices) and will take prompt and effective remedial action where appropriate.

If employees, volunteers or Board members have any questions regarding this policy, they should contact the Senior Vice President of Human Resources.