



## **WHISTLEBLOWER PROTECTION POLICY**

It is the policy of the City of Warner Robins to encourage employees to report information concerning any alleged improper action by the City's officers or employees. It is further the policy of the City to prevent retaliation against any employee who in good faith reports such allegedly improper action.

### **Purpose:**

- Encourage good faith reporting by City employees of improper governmental action to the appropriate City or government official.
- Provide employees with a process for reporting improper governmental action;
- Provide for an investigation process of reports for the purpose of informing City government;
- Provide for the assessment of penalties for those who retaliate against a City employee who acts in accordance with this chapter,

### **Rights, Responsibilities, Limitations and Protected Conduct**

#### **Employee rights:**

- Every City employee shall have the right to report in good faith, information concerning any improper governmental action.
- Every City employee making a good faith report pursuant to this code or cooperating in an investigation or prosecution based on a good faith report, shall be free from retaliation.
- The identity of a City employee who makes a good faith report of alleged improper governmental action or who cooperates in an investigation initiated by the report shall, to the extent provided by law, not be disclosed unless:
  - a. The City employee waives confidentiality through a claim of retaliation based on the reporting of improper governmental conduct. The city employee in writing waives confidentiality and consents to disclosure, or
  - b. The public employer determines such disclosure is necessary and unavoidable during the course of the investigation. In such event, the public employee shall be notified at least 7 days prior to disclosure.

## **Limitations:**

1. A city employee is not authorized to disclose information otherwise protected by law.
2. An employee's reporting of his or her own improper action does not result in the employee being free from discipline or termination if his or her improper action would be cause for such actions.

### **Protected Conduct – Reporting:**

1. The following conduct by City employees is protected if carried out in good faith and in accordance with this code section:
  - a. Reporting in good faith any assertion of improper government action to the Human Resources manager including, but not limited to, a violation of city personnel rules and regulations, ethics, lobbying or election ordinances;
  - b. Reporting to someone other than a city employee if
    - i. The city employee is seeking advice, counsel or opinion on their rights and responsibilities in determining whether to report the alleged improper governmental action, or
    - ii. Thirty (30) days have passed since the written report of alleged improper governmental conduct has been delivered to one of the parties identified above.
  - c. Cooperating in an investigation resulting from a report of improper governmental action; and/or testifying in a proceeding or prosecution arising out of an improper government action.
  - d. Reporting in an emergency, where the employee believes that substantial damage to persons or property will result, to anyone who the employee believes can prevent the damage to persons or property.
  - e. When the city employee believes that a crime is about to be committed or has been committed, reporting to any supervisor, manager or director of a department.
2. The following conduct by a city employee is also protected if carried out in good faith and in accordance with this subchapter:
  - a. Reporting sexual harassment to the employee's supervisor, Human Resources manager, department director, or other government official as set out in the city's adopted procedure for reporting sexual harassment complaints;
  - b. Reporting police misconduct to appropriate officials;
  - d. Reporting violations of the Code of Judicial Conduct by Municipal Court Judges to the Judicial Qualifications Commission;
  - e. Reporting violations of criminal laws to the appropriate prosecuting attorney; and

- f. Reporting violations of state election laws.

**Retaliation:**

- A. No city official or employee shall make, adopt, or enforce any policy or practice preventing a public employee from disclosing a violation of or non-compliance with a law, rule, or regulation to either a supervisor or a government agency.
- B. No city official or employee shall retaliate against a public employee for disclosing a violation of or non-compliance with a law, rule, or regulation to either a supervisor or a government agency; provided, however, that if it is determined that such disclosure was known to be false or was made with reckless disregard for its truth or falsity, nothing in this policy shall preclude appropriate disciplinary action from being taken against the employee.
- C. No city official or employee shall retaliate against a public employee for objecting to, or refusing to participate in, any activity, policy or practice of the public employer that the public employee has reasonable cause to believe is in violation of or noncompliance with a law, rule, or regulation.

**Remedies to Retaliation:**

A city employee who has been the object of retaliation in violation of Official Code of Ga. Ann. §45-1-4 may institute a civil action in superior court for relief within one year after discovering the retaliation or within three years after the retaliation, whichever is earlier.



# CITY OF WARNER ROBINS

## WHISTLEBLOWER PROTECTION POLICY

I certify that I have read or had the **Whistleblower Protection Policy** explained to me and have received a copy. I understand the policy and hereby agree to abide by its terms.

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Print Name

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Employee's Signature

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Date