
Gold Mountain Community Services District

POLICY HANDBOOK

POLICY TITLE: Whistleblowing Policy

POLICY NUMBER: 3142

3142.1 It is the policy of Gold Mountain CSD that its employees should be free to report violations of law, abuse of authority, fraud, economic waste, or gross misconduct, incompetence, or inefficiency without fear of retaliation or retribution. This policy is based on a finding that the Gold Mountain CSD best serves itself and its membership when it can be candid and honest without reservation in conducting the business of the District.

In accordance with the California Labor Code 1102.5, the Gold Mountain CSD prohibits retaliation by employees, Board members or volunteers against any staff member, Board member or volunteer for making good faith complaints, reports, or inquiries regarding illegal or improper activities under this policy to the Gold Mountain CSD or any law enforcement agency, or for participating in a review or investigation of any such complaints under this policy. This protection extends to those whose allegations are made in good faith but prove to be mistaken. The Gold Mountain CSD reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints or reports regarding alleged illegal or improper activities, or who otherwise abuse this policy.

Therefore, the purpose of this policy is to: (1) encourage staff, Board members and volunteers to report to the Gold Mountain CSD any credible information in their possession regarding illegal or improper activities and/or retaliation as defined herein, including violations of the Gold Mountain CSD's policies, promptly to those members of the District specified in this policy; and (2) prohibit the District's Board of Directors, General Manager and supervising employees from retaliating against any employee who reports illegal or improper activities to the District or law enforcement agencies as provided herein; and (3) specify a procedure by which information regarding illegal or improper activities of or retaliation by members of the Board of Directors or employees can be reported to the District and investigated; and (4) provide a hearing process to any employee or Board member who has filed a written complaint with the District alleging actual or attempted acts of retaliation in response to having made a protected disclosure to the Gold Mountain CSD or law enforcement protected by this policy.

3142.2 Definitions:

- a) "Illegal Order" means a directive to violate or assist in violating a federal, state, or local law, rule or regulation, or an order to an employee to work or cause others to work in conditions outside of their

scope of duty that could unreasonably threaten the health and safety of employees or the public.

- b) "Illegal or Improper Activity" means an activity by a member of the Board of Directors, an employee, or a volunteer of the Gold Mountain CSD that is undertaken in the performance of that person's duties that is either: (1) a violation of any state or federal law or regulation including, but not limited to, corruption, malfeasance, bribery, theft of property, fraud, coercion, conversion, abuse of property or willful omission to perform a duty; or (2) violates Gold Mountain CSD policies, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. Illegal or Improper Activity includes alleged financial, accounting or audit improprieties and alleged ethical violations by employees or Board members.