# Ontario Counts

### Board of Supervisors

## Canandaigua, New York 14424

Supervisor <u>Huber</u> offered the following resolution and moved its adoption:

# RESOLUTION NO. 355-2011 AMENDMENT - ONTARIO COUNTY WHISTLEBLOWER AND NON-RETALIATION POLICY

WHEREAS, Pursuant to Resolution No. 57-2003, this Board of Supervisors authorized the implementation of a formal regulatory compliance program; and

WHEREAS, Pursuant to State and Federal laws and regulations, the County is required to institute policies encouraging anyone with a reasonable suspicion or knowledge of acts of official misconduct or violation of law (known as "whistleblowers") to report such conduct to designated County officials for investigation and remedial action as warranted; and

WHEREAS, Pursuant to State and Federal laws and regulations, the County is further required to institute policies prohibiting retaliation against any person who makes a good faith report of alleged official misconduct or violation of law; and

WHEREAS, Pursuant to Resolution No. 486-2007, this Board of Supervisors adopted policies encouraging whistleblower reports and prohibiting retaliation against whistleblowers;

WHEREAS, Pursuant to Resolution No. 443-2008, this Board of Supervisors adopted certain amendments to the previously adopted compliance plan and related policies; and

WHEREAS, Both the Health & Medical Services and Government Operations and Improved Methods committees have reviewed and approved additional amendments to, and consolidation of, the previously adopted whistleblower and non-retaliation policies; and

WHEREAS, This Board of Supervisors has determined that the amended Ontario County Whistleblower and Non-Retaliation Policy on file with the Clerk of the Board of Supervisors is in the best interest of Ontario County and its citizens; now, therefore, be it

RESOLVED, That the Ontario County Whistleblower and Non-Retaliation Policy filed herewith is hereby adopted and shall be effective on the date of this adoption; and further

RESOLVED, That copies of this resolution and the Ontario County Whistleblower and Non-Retaliation Policy shall be provided to all County department heads.

STATE OF NEW YORK }
COUNTY OF ONTARIO}



I do hereby certify that I have compared the preceding with the original thereof, on file in the Office of the Clerk of the Board of Supervisors at Canandaigua, New York, and that the same is a correct transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Board of Supervisors of Ontario County held at Canandaigua, New York, on the <u>2nd day of June, 2011.</u>

Given under my hand and official seal \_\_\_\_\_ June 3, 2011

#### **RESOLUTION NO. 355-2011**

### ONTARIO COUNTY WHISTLEBLOWER AND NON-RETALIATION POLICY

Adopted: June 2, 2011

Ontario County is committed to compliance with all applicable Federal, State and local laws and regulations governing the various activities in which County government participates. Accordingly, the County encourages anyone with knowledge of facts indicating possible illegal conduct, fraud, waste or abuse in County programs to immediately report such information to appropriate County officials.

All County employees and officers have an affirmative duty and responsibility to promptly report any known or suspected misconduct in County operations. An "open-door policy" will be maintained at all levels of management to encourage employees to report problems and concerns. Reports may be made to County department heads and/or to the County's Compliance Officer, who will coordinate the investigation of such reports as set out in the Ontario County Compliance Plan. A toll-free telephone hotline has been established to receive such reports 24 hours a day. Both the hotline number and the Ontario County Compliance Plan can be found at the County's website (<a href="www.co.ontario.ny.us">www.co.ontario.ny.us</a>) or upon request through the County's Compliance Officer. Reports may be made anonymously.

Ontario County will not take retaliatory action against any person who in good faith reports known or suspected misconduct as described above. Any County employee or officer who commits or condones any form of retaliation against anyone who in good faith reports alleged misconduct will be subject to discipline up to, and including, termination.

Ontario County will provide training in this policy to all of its employees and officers. This training will be provided to all new employees and officers as part of their orientation. Copies of this policy shall be posted in locations frequented by County employees

Ontario County will conduct regular monitoring procedures as part of its efforts to ensure compliance with applicable laws and regulations.