

MISSOURI SOUTHERN STATE UNIVERSITY POLICY

Policy #:		Effective:	July 2012	Category:	All University Employee Policies
Name:	WHISTLEBLOWER PROTECTION POLICY				

1.0 PURPOSE

The purpose of the policy is to provide guidance to University employees regarding the policy below in order to comply with the standards set forth by the University. This policy is necessary in order to maintain an effective and compliant workforce that meets the University mission.

2.0 SCOPE

University Employee Policy

3.0 POLICY

PURPOSE

The purpose of this policy is to protect any University employee who witnesses or has evidence of personal appropriation of University resources or violation of University policies while employed with the University and who communicates, in good faith, or testifies to, the appropriation of University resources or violation, verbally or in writing, to one of the employee's superiors, to an agent of the University or to an appropriate authority, provided that the communication is made prior to any adverse action by the employer.

Specifically, this policy:

- Encourages an atmosphere that allows individuals to meet their obligations to disclose violations of law and serious breaches of conduct covered by University policies;
- Informs Individuals how allegations of wrongful conduct may be disclosed
- Protects individuals from reprisal by adverse academic or employment action taken within MSSU as a result of having disclosed wrongful conduct;
- Provides individuals who believe they have been subject of reprisal a process to seek relief from retaliatory acts that fall within the authority of MSSU.

The University shall devise procedures for handling a good faith report of wrongful conduct and for responding to complaints of reprisal or retaliation against individuals making such reports. These procedures will be published in University and campus handbooks, as well as on applicable websites and are outlined in the following steps below.

REPORTING

All members of the University community are encouraged and expected to abide by state and federal laws and regulations as well as University policies. An employee should report, in writing, his or her concerns and/or knowledge of specific acts which he or she reasonably believes violates the law or University policy to an appropriate University official. Specifically, that official would be the individual's supervisor or manager. If for any reason an employee finds it difficult to report his or her concern to a supervisor or manager, the employee can report it directly to Human Resources. Directors, officers, supervisors and managers are required to report suspected violations to Human Resources or to the

Vice President for Business Affairs office, who has specific and exclusive responsibility to investigate all reported violations. Accordingly, a director, officer, supervisor or manager who receives a report of suspected retaliation:

1. Should not contact the person suspected to further investigate the matter or demand restitution
2. Should not discuss the case with anyone other than the office of Human Resources, the office of the Vice-President for Business Affairs, or a duly authorized law enforcement officer to include MSSU Campus Police Officers
3. Should direct all inquiries from an attorney retained by the suspected individual to the Vice-President for Business Affairs
4. Should direct all inquiries from the media to University Relations and Marketing.

No director, officer or employee who in good faith reports a violation of policy, procedure or law shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. The University will use best efforts to protect whistleblowers against retaliation. In matters of disclosure, the University will make all reasonable efforts to maintain the identity of the employee making the disclosure confidential, as long as maintaining confidentiality does not interfere with conducting an investigation of the specific allegations or taking corrective action. Whistleblowers should be cautious to avoid baseless allegations.

ENFORCEMENT

If it is determined that a violation of this policy has taken place, a written finding will be presented to the appropriate senior administrator(s) for appropriate action. Action will be based on the violation and the position held by the employee and will follow established disciplinary guidelines. Actions will be consistent with all applicable handbooks and policies of the University.

For having made a report under this policy of wrongful conduct which violates law or University policies, an employee may not:

- be dismissed from employment;
- have salary increases or employment related benefits withheld
- be transferred or reassigned;
- be denied a promotion that the employee otherwise would have received; or
- be demoted.

An employee must make a reasonable attempt to ascertain the correctness of any information to be furnished and may be subject to disciplinary actions for knowingly furnishing false information, including suspension or dismissal as determined by the employee's applicable governing employee policy. However, any employee disciplined under this subsection is entitled to process an appeal of the disciplinary action under the procedures set forth below.

APPEALS PROCESS

Appeals will be provided per applicable existing avenues for grievance or appeal as outlined in the applicable handbook. Allegations against the University President will be reported to the Board of Governors. The President's decision, or the board's decision in a case of allegations against the President, will be final.

*If an employee is unsure of his or her appropriate administrator, he or she may refer to the University's organizational chart or contact Human Resources for assistance.

4.0 HISTORY

This policy may be revised, edited, changed or removed at any time with or without notice to applicable individuals.

5.0 RELATED DOCUMENTS