



Procedure 430-04 Whistleblower

Sponsor: Human Resources

Purpose

It is the intent of the College to ensure no adverse action is taken against an employee in retaliation or reprisal for the disclosure of information to a public body concerning an alleged violation of law, gross waste of monies or public funds, or abuse of authority.

Definitions

None

Procedure

The term "Public Body" is defined as the Arizona Attorney General, the Arizona Legislature, the Governor of Arizona, the District Governing Board, or a College supervisory employee with the authority to act on the information disclosed.

The term "adverse personnel action" is defined as one of the following, if the sole reason for the action was prior disclosure of alleged wrongful conduct to a public body:

1. Termination of employment
2. Demotion with salary reduction
3. Imposition of suspension without pay
4. Receipt of written reprimand
5. Failure to continuing appointment or promotion
6. Withholding of appropriate salary adjustments
7. Involuntary transfer or reassignment
8. Elimination of the employee's position, reduction in force, reorganization, or by reason of decreases or lack of sufficient funding, monies or workload

It is a prohibited personnel practice for any supervisor, or any other employee who has control over personnel actions, to take adverse personnel action against an employee in retaliation for disclosing alleged wrongful conduct to the public body. Any College employee found to have so retaliated or otherwise violated this procedure would be disciplined in accordance with existing College policies and procedures.

This procedure may not be used as a defense by an employee who is being or has been disciplined for legitimate reasons or cause under College policies or procedures, and it shall not be a violation of this procedure to take adverse personnel action towards an employee whose conduct or performance warrants discipline.

Any employee who knowingly makes false allegations of wrongful conduct to a public body shall be subject to discipline, up to and including termination of employment, in accordance with College policies and procedures.

Any employee who believes he/she has been subjected to an adverse personnel action based on prior disclosure of alleged wrongful conduct may protest the action and have a claim of retaliation investigated and considered in accordance with existing informal or formal College grievance and/or appeal policies or procedures.

In order to allow the College an opportunity to review allegations of wrongful conduct as defined in this procedure and take necessary action, an employee is encouraged to advise appropriate College supervisory personnel regarding such alleged violations.

References

None

Procedure History

09/09/2009 Reformatted

Legal Review

None