



## Illinois Heartland Library System

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TO: IHLS Board of Directors  
FROM: Leslie Bednar  
DATE: May 12, 2021  
RE: IHLS Whistleblower Policy

### **Background**

As our Human Resources staff review, update and prepare content for our Staff Handbook, we are adding relevant policies based on recent state and federal legislation as well as those that clarify roles and responsibilities.

### **Proposal**

The attached draft policy was vetted by legal counsel and puts into writing protections for staff who bring forward concerns of IHLS-related activity believed to be unlawful or fraudulent.

The Personnel and Executive Committees have moved this policy forward to the Board for consideration.

### **Recommendation**

IHLS staff recommend approval of the attached proposed policy.

Thank you, and please let me know if you have any comments or questions.

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IMAGINING TOMORROW ~ DELIVERING POSSIBILITIES TODAY!

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## WHISTLEBLOWER COMPLIANCE

**Policy:** IHLS requires its directors, employees, and volunteers to observe high standards of business and personal ethics in their conduct in connection with the performance of their job duties and responsibilities. As employees and representatives of IHLS, everyone must at all times be completely honest in all dealings with IHLS and demonstrate the highest level of integrity in fulfilling job responsibilities. Compliance with all federal, state, and local laws is essential.

The purpose of this policy is to: (a) encourage and enable individuals to raise concerns regarding suspected illegal or unethical conduct or practices or violations of IHLS policies on a confidential and, if desired, anonymous basis, (b) protect employees from retaliation for raising such concerns, and (c) establish procedures for IHLS to receive and investigate reported concerns and address and correct inappropriate conduct and/or actions.

**Reporting Responsibility:** Each employee has the responsibility to report in good faith any concerns about actual or perceived violations of IHLS policies or any federal, state, or local law, or regulation governing IHLS. Appropriate concerns to report under this policy include but are not limited to: audit or accounting issues, financial improprieties, ethical violations, fraud, theft, embezzlement, bribery or kickbacks, misuse of IHLS property or assets, undisclosed conflicts of interest, dishonesty, harassment or discrimination, or any other conduct that is unlawful.

Whistleblower protection covered under this policy includes: (a) an employee's report to a supervisor or a public body of an activity, inaction, policy, or practice implemented by IHLS that the employee reasonably believes is a violation of a law, rule, or regulation, (b) an employee assisting or participating in a proceeding to enforce the provisions of the Illinois Equal Pay Act (or any other federal, state, or local law, regulation, rule or ordinance).

A whistleblower also includes an employee of IHLS who reports an activity related to IHLS (internally to supervision or externally to any government agency or authority) that they consider to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate management officials (or government agencies, if applicable) are charged with these responsibilities.

An example of an illegal or dishonest activity is a violation of federal, state or local laws or financial wrongdoing. If an employee has knowledge of or a concern about illegal or dishonest fraudulent activity, the employee is to contact Human Resources. If the employee is not comfortable reporting the issue to Human Resources, the employee may instead contact the Executive Director.

**Acting in Good Faith:** Anyone reporting a concern under this policy must act in good faith and have reasonable grounds to believe that the information disclosed indicates a violation of law, regulations, and/or ethical standards or policies of IHLS. Any unfounded allegation that proves to have been made maliciously, recklessly, or knowingly false will be viewed as a serious offense and will result in disciplinary action, up to and including discharge.

**No Retaliation:** No employee who in good faith reports a concern, participates in an investigation or makes a good faith report to an outside governmental agency shall be subject to adverse employment consequences because of such report or participation. This protection extends to employees who report in good faith, even if the allegations are, after an investigation, not substantiated.

Any IHLS representative who retaliates against an employee who has made a good faith report as described herein or who has participated in an investigation relating to such a report will be subject to disciplinary action, up to and including discharge.

Any employee who believes that he or she (or another employee) has been subjected to harassment, retaliation or adverse employment consequences as a result of making a good faith report or participating in an investigation must contact Human Resources.

**Confidentiality:** IHLS encourages an employee who reports concerns covered by this policy to identify himself or herself in order to facilitate the investigation. However, such concerns may be submitted in a confidential and/or anonymous basis. IHLS will take reasonable steps to protect the identity of the individual and shall keep reports made under this policy as confidential as possible, consistent with the need to conduct an adequate investigation and applicable law.

**All reports of illegal and dishonest activities or retaliation should be promptly submitted to Human Resources for investigating and coordinating corrective action. In the event the employee is not comfortable reporting such issues to Human Resources, the employee may instead contact the Executive Director. If the employee is not comfortable reporting such issues to either Human Resources or the Executive Director, reports of illegal or dishonest activities, violations of any federal, state or local law or regulation, or any incident of retaliation should be promptly submitted to the President of the IHLS Board of Directors.**