

**MONROE COUNTY WATER AUTHORITY
WHISTLEBLOWER POLICY
READOPTED JUNE 2022**

The Monroe County Water Authority (the “Authority”) provides whistleblower protection that complies with Section 75-b of the New York Civil Service Law and the recommendations of the New York State Authorities Budget Office.

**ARTICLE 1
DEFINITIONS**

These terms have the meanings set forth below:

1. Authority employee

Any Member, officer and employee employed at the Authority, whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees.

2. Ethical violation

Any instance of conduct prohibited under the Authority’s Code of Ethics Policy or other misconduct, malfeasance, or inappropriate behavior by an Authority employee.

3. Good faith

Information concerning potential wrongdoing is disclosed in “good faith” when the Authority employee making the disclosure reasonably believes such information to be true and reasonably believes that it indicates potential wrongdoing.

4. Personnel action

Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

5. Whistleblower

Any Authority employee who in good faith discloses information to the Authority or another governmental body concerning wrongdoing by another Authority employee, or concerning the business of the Authority itself.

6. Wrongdoing

Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by an Authority employee that relates to the Authority.

ARTICLE 2
REPORTING WRONGDOING

All Authority employees who discover or know about potential wrongdoing concerning: (i) another Authority employee; (ii) a person having business dealings with the Authority; or (iii) the Authority, and who seek to disclose such information must do so in accordance with the following procedures:

1. An Authority employee seeking to disclose wrongdoing must disclose any information concerning such wrongdoing either orally or in a written report to a supervisor, the Authority's independent Ethics Board, the Authority's attorneys or a human resources representative. If an Authority employee believes in good faith that disclosing information concerning wrongdoing within the Authority would be wholly ineffective or lead to an adverse personnel action, he or she may instead disclose such information to the New York State Authorities Budget Office (toll free number 1-800-560-1770) or, if applicable, a law enforcement agency.
2. All Authority employees who discover or know about wrongdoing will report such wrongdoing in a prompt and timely manner.
3. To the greatest extent possible, the Authority will keep confidential the identity of the whistleblower and the substance of his or her allegations.
4. Authority personnel and advisors who receive reports of wrongdoing will investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the Authorities Budget Office or, if applicable, a law enforcement agency.

ARTICLE 3
NO RETALIATION OR INTERFERENCE

1. No Authority employee will retaliate against any whistleblower for disclosing potential wrongdoing, whether by threat, coercion, or abuse of authority.
2. No Authority employee will interfere with the right of any other Authority employee by any improper means aimed at deterring disclosure of potential wrongdoing.
3. No whistleblower will suffer harassment, retaliation or adverse personnel action. Any attempts at retaliation or interference against a whistleblower are strictly prohibited.
4. The Authority or other appropriate body will thoroughly investigate all allegations of retaliation against or interference with a whistleblower seeking to disclose potential wrongdoing.
5. Any Authority employee who retaliates against a whistleblower or attempts to interfere with a whistleblower's attempted disclosure will be subject to discipline by the Authority, which may include termination of employment.

6. Irrespective of the outcome of the initial complaint, the Authority will treat any allegation of retaliation or interference by an Authority employee as a separate matter to be taken and treated seriously.

**ARTICLE 4
OTHER LEGAL RIGHTS NOT IMPAIRED**

This Whistleblower Policy is not intended to limit, diminish or impair any other rights or remedies that an Authority employee may have under the law regarding disclosing potential wrongdoing free from retaliation or adverse personnel action, including but not limited to: Section 75-b of the New York Civil Service Law, Section 740 of the New York Labor Law, Section 191 of the New York State Finance Law, and Section 55(1) of the New York Executive Law.

Regarding any rights or remedies that an Authority employee may have under Section 75-b of the New York Civil Service Law or Section 740 of the New York Labor Law, any Authority employee who wishes to preserve such rights must (prior to disclosing information to the Authority or other government body) have made a good faith effort to provide the “appointing authority” (as defined in Section 2(9) of the New York Civil Service Law) or his or her designee the information to be disclosed, and must provide the appointing authority or designee a reasonable time to take appropriate action unless there is imminent and serious danger to public health or safety.

**ARTICLE 5
DISTRIBUTION OF THIS POLICY**

The Authority will distribute this Whistleblower Policy annually to each Member, officer and employee and to each new Member, officer and employee as soon as practicable following commencement of such position.