

Lyons Public Library Whistle Blower Policy

• PREAMBLE

This policy is formulated to provide employees of the Lyons Public Library access in good faith, to the Audit Committee in case they observe unethical and improper practices or any other alleged wrongful conduct in the Library and to prohibit managerial personnel from taking any adverse action against those employees.

• APPLICABILITY

This policy applies to all employees of the Lyons Public Library.

• POLICY

No adverse personnel action shall be taken or recommended against an employee in retaliation to his/her disclosure in good faith of any unethical and improper practice or alleged wrongful conduct. This policy protects such employees from unfair termination and unfair prejudicial employment practices.

However, this policy does not protect an employee from an adverse action which occurs independent of his/her disclosure of unethical and improper practice or alleged wrongful conduct, poor job performance, any other disciplinary action, etc. unrelated to a disclosure made pursuant to this policy.

• DEFINITIONS

Adverse Personnel Action

An employment related act or decision or a failure to take appropriate action by managerial personnel which may affect the employee's employment, including but not limited to compensation, promotion, job location, job profile, immunities, leaves and training rights or other privileges.

Alleged Wrongful Conduct

Alleged wrongful conduct shall mean violation of law, infringement of the Lyons Public Library's code of conduct or ethics policies, mismanagement, misappropriation of monies, actual or suspected fraud, substantial and specific danger to public health and safety or abuse of authority.

Audit Committee

Audit committee shall mean a committee of the Board of Trustees of the Lyons Public Library, comprised of executive and non-executive Directors and such other individuals as the Board may deem appropriate.

Compliance Officer

Compliance Officer means an individual appointed by the Board of Trustees to insure the Library's compliance with this policy and one who is accountable solely to the Board of Trustees in matters regarding this policy.

Good Faith

An employee shall be deemed to be communicating in "good faith" if there is a reasonable basis for communication of unethical and improper practices or any other alleged wrongful conduct.

Good faith shall be deemed lacking when the employee does not have personal knowledge of a factual basis for the communication or where the employee knew or reasonably should have known that the communication about the unethical and improper practices or alleged wrongful conduct is malicious, false or frivolous.

Managerial Personnel

Managerial personnel shall include members of the Board of Trustees, officers, executive directors, managers, department heads, supervisors or other employees who have authority to make or materially influence significant personnel decisions.

Policy or This Policy

Policy or this policy means "Whistle Blower Policy".

Unethical and Improper Practices

Unethical and improper practices shall mean an act which does not conform to approved standards of social and professional behavior or an act which leads to unethical business practices.

Improper refers to unethical conduct or a breach of etiquette or morally offensive behavior, etc.

Whistle Blower

An employee of the Lyons Public Library, who discloses in good faith, any unethical and improper practices or alleged wrongful conduct to the Audit Committee in writing.

• GUIDELINES

Internal Policy and Protection Under Policy

This policy is an internal policy on access to the Audit Committee, which is comprised of qualified executives and non-executives and directors.

This policy prohibits the Library taking any adverse action against its employees for disclosing to the Audit Committee, in good faith, any unethical and improper practices or alleged wrongful conduct. Any employee against whom any adverse personnel action has been taken due to disclosure of information under this policy may approach the Audit Committee or, in exceptional cases, the Board of Trustees for appropriate relief.

False Allegation and Legitimate Action

An employee who knowingly makes false allegations of unethical and improper practices or alleged wrongful conduct to the Audit Committee shall be subject to disciplinary action, up to and including termination of employment, in accordance with the Library's rules, policies and procedures. Further, this policy may not be used as a defense by an employee against whom an adverse personnel action has been taken independent of any disclosure of information by the employee for legitimate reasons or cause under Library's rules and policies.

Disclosure and Maintenance of Confidentiality

An employee who observes any unethical and improper practices or alleged wrongful conduct in the Library may report same to the Audit Committee. Confidentiality shall be maintained to the greatest extent possible.

Procedures

Any employee who observes any unethical and improper practices or alleged wrongful conduct shall make a disclosure to the Audit Committee as soon as possible but not later than 45 consecutive calendar days after becoming aware of the same.

If the employee is unwilling or unable to put an oral disclosure in writing, he/she may approach the Library's Compliance Officer directly or his/her superior or another employee. The Compliance Officer shall prepare a written summary of the employee's disclosure and provide a copy to the employee.

The Audit Committee shall appropriately and expeditiously investigate all whistle blower reports received. In this regard, the Audit Committee, if circumstances so suggest, may appoint a senior officer or a committee of managerial personnel to investigate the matter.

The Audit Committee shall have the right to outline detailed procedures for an investigation. Where the Audit Committee has designated a senior officer or a committee of managerial personnel for investigation, they shall adhere to procedures outlined by the Audit Committee for investigation. The Audit Committee or senior officer or committee of managerial personnel, as the case may be, shall have the right to call for any information or documents and reports regarding examination of any employee of the Library's or other person(s), as they may deem appropriate for the purpose of conducting investigation under this policy.

A report shall be prepared after completion of the investigation and the Audit Committee shall consider same.

After considering the report, the Audit Committee shall determine the cause of action and may order for remedies which may include:

- a) Order for an injunction to restrain continuous violation of this policy;
- b) Reinstatement of the employee to the same position or to an equivalent position;
- c) Order for compensation for lost wages, remuneration or any other benefits etc.

Notification

All departmental heads are required to notify and communicate the existence and contents of this policy to the employees of their departments. Every departmental head shall submit a certificate duly signed by him/her to the Compliance Officer that this policy was presented to each employee of his/her department. New employees shall be informed about the policy at the time of their hiring.

This policy as amended from time to time shall also be presented to the employees.

Annual Affirmation

The Lyons Public Library shall annually affirm that it has not denied any personnel access to the Audit Committee and that it has provided protection to whistle blowers from adverse personnel action. The affirmation shall form part of the Library's Governance report and be incorporated in the minutes of the Library's annual meeting.

Adopted: 9/18/2007
Board of Trustees
Lyons Public Library