



Emma S. Clark Memorial Library

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www.emmaclark.org

"The Heart of the Three Village Community"

WHISTLEBLOWER POLICY

1. Policy Objectives

- a) In furtherance of its corporate purposes and the public policy of State of New York, the Emma S. Clark Memorial Library resolves to adhere to all applicable federal and state laws (including, specifically, Section 740 of the NY Labor Law), regulations and the policies it has adopted. To assist the Library in assuring such compliance it is deemed the responsibility of its Trustees, Library Director, Library employees* and volunteers to report any alleged illegal, fraudulent or unlawful activity or practice engaged in by the Trustees, a Trustee, the Library Director, employees or volunteers to the Library Director or Board President in order to afford the Library a reasonable opportunity to investigate and take corrective action when warranted, prior to reporting such activity or practice to a responsible governmental authority, unless it can be reasonably believed that the employer is aware of the subject illicit action or practice and has not taken corrective action, or if there is an imminent danger to public health or safety, or if there is a risk of the destruction of evidence of an activity that could reasonably be expected to lead to the endangerment of a child.
- b) To encourage and enable the good faith reporting of suspected or actual violations, this policy creates a procedure for authorizing reports regarding any action taken by or within the Library that is reasonably believed to be illegal, fraudulent or in violation of any adopted law, regulation or Library policy.

*The utilization of "employee" throughout this policy is to include current and former employees and independent contractors serving the Library.

- c) To reinforce the Library's commitment to maintaining high ethical standards in the conduct of its business, this policy provides for protections prohibiting retaliation against those who make a report to the Library or a governmental agency alleging actual or suspected illegal, fraudulent or unlawful activities or practices engaged in by the Trustees, a Trustee, the Director, an employee, or volunteer.

2. Procedure for Reporting

- a) If any Trustee, employee or volunteer of the Library reasonably believes that the Trustees, a Trustee, employee or volunteer have/has engaged in conduct that is illegal, fraudulent or in violation of any adopted policy of the Library, he or she is to make a good faith effort to report such to the President of the Board of Trustees; however in order to be provided the protection of this policy no such report will be required if the reporter reasonably believes that the employer is aware of the subject illicit action or practice and has not taken corrective action, or if there is an imminent danger to public health, or safety or if there is a risk of the destruction of evidence of an activity that could reasonably be expected to lead to the endangerment of a child.
- b) If any Trustee, employee or volunteer reasonably believes that the Library Director has engaged in conduct that is illegal, fraudulent or in violation of any adopted policy of the Library or that a policy or practice is in violation of law or regulation, a good faith effort to report such is to be filed with the President of the Board of Trustees.
- c) If the Library Director reasonably believes that the Trustees, a Trustee, employee or volunteer has engaged in conduct that is allegedly illegal, fraudulent or in violation of any adopted policy of the Library or that a policy or practice is in violation of law or regulation, a report is to be made to the President of the Board of Trustees.

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3. Protection Against Retaliatory Actions

- a) The Library is not to retaliate (to include discharge, suspension, demotion or other actual or threatened adverse employer action, actions that would impact current or future employment or the reporting of the citizenship or immigration status of the reporter or his/her family or household members) against a Trustee, Library Director, employee, or volunteer who in good faith has made a report to the Library Director or Board President alleging any action/conduct or suspected action/conduct of the Trustees, a Trustee, the Library Director, employee, or volunteer that is allegedly illegal, fraudulent or in violation of any policy adopted by Library unless the reporter can be said to have reasonably believed that the employer is aware of the subject illicit action or practice and has not taken corrective action, or if there is an imminent danger to public health or safety, or if there is a risk of the destruction of evidence of an activity that could reasonably be expected to lead to the endangerment of a child.
- b) Anyone who, in the assessment of the Library Director or Board President, willfully makes a false report of wrongdoing will be subject to disciplinary action which may include termination from employment or dismissal from the Board.

4. Processing of Reported Violations & Confidentiality

- a) Reports of actual or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. There are certain circumstances in which the Library may be required to disclose the reporting person's identity; for example, to conduct a thorough investigation to comply with the law and/or to provide accused individuals of their entitlement to prepare and present a defense.
- b) The Library Director will acknowledge receipt of a report setting forth the actual or suspected violation within 20 business days to

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the person filing the report. If the report was filed with the Board President, receipt shall be acknowledged in the same manner.

- c) All reports will be promptly investigated and appropriate corrective action (including a follow-up with the person filing the report) will be taken if warranted by the investigation.
- d) It is to be the responsibility of the Library Director to administer this policy and to report to the Board of Trustees any reports received by the Director and the manner in which they were resolved. It is the responsibility of the Library Director to distribute a copy of this policy to all Trustees, employees and volunteers who provide services to the Library, and provide advice to Library employees and volunteers as needed to inform as to the terms and implementing protocols of this Policy. Further, the Director is to post a notice of employee whistleblower protections, rights and obligations in an easily accessible, well-lighted location that is frequented by employees and applicants for employment.

My signature below indicates that I have received and read the Whistleblower Policy and make a commitment to adhere to its terms

Trustee/ Director/Employee/ Volunteer Signature

Date

Print name of Trustee/Director/Employee/Volunteer

Adopted 12/17/2014

Reviewed and affirmed 9/22/2021

Revised 1/19/2022

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