

ESTABLISHING PROCESS FOR REPORTING OF ILLEGAL
ACTIVITIES OBSERVED IN THE WORKPLACE

In order to provide for an orderly method of reporting suspected illegal or unethical activity observed in the workplace and a method for tracking how such observations are addressed or remedied, the Board of Supervisors hereby adopts the following policy:

Policy and employee responsibility:

It is the policy of Trinity County that each of its departments adhere to a legal and ethical standard of operation in the achievement of its constituent missions, goals, and directives. In light of this, every employee and elected official has an obligation to assure that county government operations are free from all types of unlawful or unethical activity. The County of Trinity, therefore, directs each of its employees and elected officials to report any unethical activity observed in the workplace or activity that has the appearance of being illegally performed.

Definition of illegal or unethical activity:

An illegal activity is defined as any act that is contrary to established laws, rules, and regulations of the federal government, state government or county government.

For the purpose of this policy, unethical activity is that activity which is contrary to the accepted principles of right and wrong that govern the conduct of the individuals within Trinity County employment.

Reporting process:

With the exception of those occurrences wherein a procedure already exists, any employee, supervisor, manager, department head or elected official observing such activities must report the incident to the County Administrative Officer (CAO). Such information shall be submitted on the form indicated as **Exhibit A** of this Policy Statement, and may be submitted by way of confidential envelope.

If a report is submitted either orally or in writing to a department head, manager, supervisor or elected official, that individual shall convey this information to the CAO within ten days of receiving information concerning the incident. If the incident is provided orally, the individual receiving the information shall convert it into written format prior to submission to the CAO. In either case, the report shall be submitted to the CAO on the form indicated as **Exhibit A** of this Policy Statement.

Reports must contain the date of the observed activity, its nature, names of those involved, the place in which it happened, and any other pertinent details which would assist the CAO in investigating the incident.

Once a report is received by the CAO, he/she will perform an investigation and take whatever steps are necessary to correct the situation. This effort may include consulting with County Counsel, the District Attorney or the Sheriff as indicated. If it is determined that an illegal or unethical activity has taken place, the CAO shall ensure that the appropriate legal or disciplinary action is carried out and that the form indicated as **Exhibit B** of this Policy Statement is completed. Any activity that is concluded to be illegal shall be reported in full to the Board of Supervisors.

The CAO will provide a written response at the conclusion of the investigation and the resulting action to each person who has reported illegal or unethical activity. Such response shall in most cases, due to legal constraints, indicate that the appropriate legal and/or disciplinary action has been taken without providing the details thereof.

A record shall be maintained by the CAO of all complaints received and action taken, for a period of not less than five years.

Dated: September 16, 1997

A handwritten signature in black ink, appearing to read "Matt Little", written over a horizontal line.

CHAIRMAN-Board of Supervisors, County
of Trinity, State of California

Exhibit A

REPORT OF ILLEGAL OR UNETHICAL INCIDENTS

- I. Reporting Party: _____
- II. Date report was received by the CAO: _____
- III. Date information was provided to, or personally observed by, the reporting party: _____
- IV. It has been determined that in this situation, the provisions of federal, state or local laws or regulations, or those contained in other departmental policies, are more stringent than the provisions contained herein. (Employees of the Sheriff's Department for example, are subject to various types of laws and regulations which may impose stricter requirements governing investigations of this nature.)

- Description of the policy that applies in this situation and name of the responsible party who was contacted to carry out the investigation:

Description of the Incident Leading To This Report:

Date of incident: _____

Please describe where the incident occurred (please describe in detail; i.e., rather than "At the Courthouse" be specific, such as "In the outside stairwell on the Highway 299 side of the Courthouse"):

Please describe the actual incident as you observed it, or as it was reported to you. Be sure to include the names of all individuals involved and the nature of the incident:

Please list any witnesses who may be able to provide more information, including their full name(s) and where they can be reached for further information:

Please list all supporting documents you have in your possession, or are aware of being in existence, which would help to support this claim of illegal or unethical activity:

Exhibit B
CAO ACTION FORM

Individuals contacted in the course of this investigation:

Conclusions drawn as a result of this investigation:

Corrective Action Taken:

Individuals Notified of Results of This Report: