

TOWN OF THREE RIVERS

Fraudulent or Dishonest Conduct and Whistleblower Policy

Policy Number: TRHR-4

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Approved By: Town Council

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Policy Statement

The Town of Three Rivers is committed to integrity and ethical behavior by all employees through maintaining an environment where employees can act appropriately, without fear of retaliation by the employer or by any employees of the Corporation.

The Town of Three Rivers will investigate any and all possible fraudulent behaviour or dishonest use or misuse of the Town of Three Rivers' resources or property by Council, management or staff. Anyone found to have engaged in fraudulent or dishonest conduct is subject to disciplinary action by the Town of Three Rivers up to and including civil or criminal prosecution when warranted.

All management and staff of the Town of Three Rivers are encouraged to report possible fraudulent or dishonest conduct at the earliest possible time. An employee should report his or her concerns to a supervisor or manager. If for any reason an employee finds it difficult to report his or her concern to a manager or supervisor, the employee can report it directly to the Chief Administrative Officer.

Managers or supervisors are required to report suspected fraudulent or dishonest conduct to the Chief Administrative Officer.

For more information about definitions, rights and responsibilities, procedures, and contacts read the following.

Scope

This policy is applicable to all employees of the Town of Three Rivers.

Definitions

Baseless Allegations: allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action up to and including discharge and /or legal claims by individuals accused of such conduct.

Fraudulent or Dishonest Conduct: a deliberate act or failure to act with the intention of obtaining an unauthorized benefit. Examples of such conduct include, but are not limited to:

- forgery or alteration of documents
- unauthorized alteration or manipulation of computer files
- fraudulent financial reporting
- pursuit of a benefit or advantage in violation of the Town of Three River's policy
- misappropriation or misuse of the Town of Three Rivers' resources, such as funds, supplies, or other assets
- authorizing or receiving compensation for goods not received or services not performed
- authorizing or receiving compensation for hours not worked

Whistleblower: an employee who informs a manager, supervisor, or the Chief Administrative Officer about an activity which that person believes to be fraudulent or dishonest. It also includes disclosure to any outside agency or to the media.

Rights and Responsibilities

Managers or Supervisors

Managers or supervisors are required to report suspected fraudulent or dishonest conduct to the Chief Administrative Officer. In addition, managers or supervisors are responsible for maintaining a system of management controls, which detect and deter fraudulent or dishonest conduct. Failure by a manager or supervisor to establish management controls or report misconduct within the scope of this policy may result in adverse personnel action against the manager or supervisor, up to and including dismissal. The Chief Administrative Officer is available to assist management in establishing management systems and recognizing improper conduct.

Reasonable care should be taken in dealing with suspected misconduct to avoid:

- acting on baseless allegations
- premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to others not involved with the investigation
- violations of a person's rights under law

Accordingly, a manager or supervisor faced with a suspected misconduct:

- should not contact the person suspected to further investigate the matter or demand restitution
- should not discuss the case with anyone other than the Chief Administrative Officer or a duly authorized law enforcement officer
- should direct all inquiries from the media to the Chief Administrative Officer

Whistleblower Protection

The Town of Three Rivers will protect whistleblowers as defined below.

- The Town of Three Rivers will use best efforts to protect whistleblowers against retaliation, as described below. It cannot guarantee confidentiality, however, and there is no such thing as an "unofficial" or "off the record" report. The Town of Three Rivers will keep the whistleblower's identity confidential, unless (1) the person agrees to be identified; (2) identification is necessary to allow the Town of Three Rivers or law enforcement officials to investigate or respond effectively to the report; (3) identification is required by law; or (4) the person accused of fraudulent or dishonest conduct is entitled to the information as a matter of legal right in disciplinary proceedings.
- The Town of Three Rivers' employees may not retaliate against a whistleblower with the intent or effect of affecting the terms or conditions of employment (including but not limited to, threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages). Whistleblowers who believe that they have been retaliated against may file a written complaint with the Chief Administrative Officer. A proven complaint of retaliation shall result in a proper remedy for the person harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person. This protection from retaliation is not intended to prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.
- Whistleblowers must be cautious to avoid baseless allegations (as described earlier in the definitions section of this policy).

Contacts

Questions related to the interpretation of this policy should be directed to the Chief Administrative Officer.