

SOUTHERN TIER LIBRARY SYSTEM  
WHISTLEBLOWER and ETHICAL BEHAVIOR POLICY

The Southern Tier Library System requires trustees, employees, and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty, fair dealing, and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. The Board embraces the organization's values of integrity, honesty, ethical behavior, loyalty to the organization, courtesy, civility, respect for and co-operation among staff, trustees, member libraries, and vendors. Harassment, because of sex, race, age, color, creed, religion, sexual orientation, disability or any other reason, whether conducted by, or affecting, an employee, vendor, client, volunteer, board member, or other individual connected with STLS is strictly prohibited. This policy applies to all employees, directors, officers, volunteers, and agents of the STLS, including the Executive Director and the Board of Trustees.

The objectives of the STLS Whistleblower and Ethical Behavior Policy are to establish standards of conduct and procedures for:

- The submission of concerns, on a confidential basis, regarding:
  - (a) Harassment and bullying, sufficiently severe or pervasive to create a hostile work environment, or resulting in a tangible change in an employee's employment status or benefits,
  - (b) Questionable accounting or auditing actions by employees, trustees, officers and other stakeholders of the organization,
  - (c) Wrongful conduct such as a violation of applicable state and/or Federal laws and regulations; a serious violation of STLS Policy; or the use of STLS property, resources, or authority for personal gain or other non-STLS purpose except as provided under STLS policy
- The receipt, retention, and treatment of complaints received by the organization regarding harassment, accounting, internal controls, auditing matters or other wrongful conduct
- The protection from retaliatory actions of trustees, employees, and volunteers reporting concerns.

### **Reporting Responsibility**

Each trustee, employee, and volunteer of STLS has an obligation to report in accordance with this Whistleblower and Ethical Behavior Policy (a) harassment or bullying, (b) questionable or improper accounting or auditing matters, (c) violations and suspected violations of this policy and (d) wrongful conduct.

## **Authority of the Board of Trustees**

All concerns submitted in writing will be forwarded to the President of the Board of Trustees in accordance with the procedures set forth below. The President shall be responsible for designating the appropriate committee to investigate and make appropriate recommendations to the Board of Trustees with respect to the following: (a) concerns that originate from trustees and other non-employees or (b) concerns submitted by employees that have not been resolved by the System Executive Director to the satisfaction of the complainant.

## **Reporting Procedures and Corrective Action for Employees**

Employees should first discuss their concern, in confidence, with their immediate supervisor. If, after speaking with his or her supervisor, the employee is convinced that his or her concern is unwarranted or that, in the opinion of the employee, the supervisor will take appropriate steps to resolve the employee's concern no further action is required by the employee.

- However, further action is required if the employee (a) continues to have reasonable grounds to believe the concern is valid and that the response of his or her immediate supervisor is not adequate or (b) the immediate supervisor recommends that the issue should be referred to a higher level in the organization. In this situation the employee should write a formal complaint which the first level supervisor is obligated to take to the System Executive Director (or Acting System Director) in five working days.
- The Executive Director shall promptly inform the employee of receipt of the complaint. A copy of the complaint shall be forwarded to the President of the Board of Trustees. The Executive Director shall investigate the circumstances of the complaint in a timely fashion and, where warranted, take disciplinary and other actions. At the completion of the investigation the Executive Director shall provide the employee initiating the complaint and the President with a written summary of the action taken.
- Notwithstanding the procedure stated above, if the employee's supervisor is the subject of the employee's concern or is possibly involved, the employee may choose to discuss their concern directly and in confidence with the Executive Director and then write a formal complaint. It is the responsibility of the Executive Director to investigate promptly the circumstances of the complaint in the manner stated in the previous paragraph.
- In extraordinary circumstances, and after due consideration, an employee who suspects or believes that the Executive Director is involved in unethical or illegal behavior may take his or her concerns directly to the President of the Board of Trustees using the procedure below entitled "Reporting Procedures for Trustees and Other Volunteers."

## **Reporting Procedures and Corrective Action for Individuals Not Employed by the System**

System trustees, System volunteers, individuals in the Member Libraries of the System and members of the general public should submit concerns in writing directly to the President of the Board of Trustees. If the President of the Board of Trustees is not available or is the subject of the concern, the complaint should be directed to the Vice-President of the Board of Trustees.

- The President shall be responsible for designating an appropriate committee, as circumstances dictate, to investigate and make appropriate recommendations to the Board of Trustees, with

respect to all concerns received in writing. The designated committee has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

- The President shall inform the originator of the receipt of the written complaint. All trustees of the System shall be informed of the nature of the complaint with emphasis on maintaining the confidentiality appropriate for personnel issues.
- The Board of Trustees and its designated committee shall resolve all complaints in a timely fashion and inform the individual submitting the complaint of the Board's final action.
- If the concern, for any reason, is not dealt with by the Board of Trustees to the satisfaction of the complainant, he or she may request a review by the State Librarian.

### **Acting in Good Faith**

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates harassment or bullying; a questionable or improper accounting or auditing practice; a violation or suspected violation of this STLS Policy; or wrongful conduct.

The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment or dismissal from the trustee or volunteer position. Such conduct may also give rise to other actions, including civil lawsuits.

### **Confidentiality**

Reports of concerns and their investigations shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. Disclosure of reports of concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

### **No Retaliation Provision**

This Whistleblower and Ethical Behavior Policy is intended to encourage and enable employees, trustees, volunteers and others to raise concerns within STLS for investigation and appropriate action. With this goal in mind, no trustee, employee or volunteer who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an employee, trustee or volunteer who retaliates against someone who has reported a concern in good faith shall be subject to discipline, up to and including termination of employment or dismissal from the trustee or volunteer position.

*Approved by the Southern Tier Library System Board of Trustees  
Revised to incorporate STLS Policy on Maintaining an Ethical Environment  
(Doc. #05-85, November 22, 2005).*

*Approved by the Southern Tier Library System Board of Trustees December 15, 2009*