

WHISTLEBLOWER PROTECTION

References: *Education Code Sections 87160-87164;*
 Labor Code Section 1102.5,
 Government Code Section 53296,
 Private Attorney General Act of 2004 (Labor Code Section 2698)
 Affordable Care Act (29 U.S.C. 218C)

The Superintendent/President shall establish procedures regarding the reporting and investigation of suspected unethical, unprofessional and/or unlawful activities by College District employees, and the protection from retaliation of those who make such reports in good faith and/or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity—intentional or negligent—that violates state or federal law, local ordinances, or College District policy (3050 BP “Institutional Code of Professional Ethics”).

Procedure 7700 AP shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities and/or assist the College District in its investigation.

Furthermore, College District employees shall not:

1. retaliate against an employee or applicant for employment who has made a protected disclosure, assisted in an investigation, or refused to obey an illegal order; or
2. directly or indirectly use or attempt to use the official authority or influence of his or her position for the purpose of interfering with the right of an applicant or an employee to make a protected disclosure to the College District. The College District will not tolerate retaliation, and will take whatever action may be needed to prevent and correct activities that violate this policy, including discipline of those who are in violation, up to and including termination.