

HEALTH SCIENCE CENTER HANDBOOK OF OPERATING PROCEDURES

Chapter 2	General Policies and Procedures	Effective:	July 2005
Section 2.5	Institutional Compliance Program	Revised:	December 2008
Policy 2.5.2	Protection from Retaliation for Reporting Suspected Wrongdoing	Responsible Party:	Assistant Vice President for Regulatory Affairs & Compliance

PROTECTION FROM RETALIATION FOR REPORTING SUSPECTED WRONGDOING

Overview

The purpose of this policy is to provide the requirements and guidelines for the protection of individuals from retaliation for good faith actions in reporting, or participating in an investigation pertaining to, alleged violations of laws, rules, policies or procedures applicable to the Health Science Center. This policy does not establish any additional rights or causes of action.

Policy

The Health Science Center is committed to including employees in the process of ensuring that the Health Science Center operates in an ethical, honest, and lawful manner. It is therefore the policy of the Health Science Center to:

1. Encourage employees to report and to assist in any investigation by persons authorized or responsible for such matters, known or suspected violations of laws, rules, policies, or regulations, or improper activities; and,
2. Prohibit unlawful retaliation against employees as a consequence of good faith actions in the reporting of, or the participation in an investigation pertaining to, allegations of wrongdoing.

Definitions

UNLAWFUL RETALIATION: Any action that adversely affects the employment or other institutional status of an individual (including discharging, demoting, suspending, threatening, harassing, or in any other manner discriminating against an employee in the terms and conditions of employment), that is taken by the Health Science Center of its employee because the individual has, in good faith, made an allegation concerning the violation of a law, rule, policy, or procedure, or of inadequate institutional response thereto, or has cooperated in good faith with an investigation of such allegation.

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Procedures for Reporting and Investigating Allegations

All Health Science Center employees have a personal and professional obligation to report and to assist in any investigation by persons authorized or responsible for such matters, the following (collectively referred to as “wrongdoing”):

- Illegal or fraudulent activity
- Financial misstatements, or accounting or auditing irregularities
- Conflicts of interests, or dishonest or unethical conduct
- Violations of the institutions code of conduct
- Violations of other laws, rules, or regulations

Employees are expected to be truthful and cooperative in investigations of allegations of wrongdoing.

Employees shall report allegations of wrongdoing through established administrative processes and procedures of the Health Science Center, including but not limited to those already established:

- For fraud, embezzlement, misappropriations, and other fiscal irregularities, see the *Handbook of Operating Procedures* (HOP), [Section 2.6.3](#), “Fraud, Abuse, and False Claims Act”.
- For nondiscrimination, sexual harassment and sexual misconduct, see the HOP, [Sections 4.2.1](#) and [4.2.2](#), “Nondiscrimination Policy and Complaint Procedure” and “Sexual Harassment and Sexual Misconduct”.
- For complaints concerning wages, hours of work, working conditions, performance evaluations, merit raises, job assignments, reprimands and human resource issues, see the HOP, [Section 4.9.5](#), “Grievance Policy and Procedures”.
- To report compliance issues, wrongdoing, or improper or illegal conduct, see the HOP, [Section 2.5.1](#), “Office of Regulatory Affairs & Compliance”.

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**Protection
Against Unlawful
Retaliation**

No Health Science Center employee shall take any disciplinary or retaliatory action against any individual for, in good faith, reporting, or causing to be reported, suspected wrongdoing, or for assisting in an authorized disciplinary action for self-reported violations. The University will make every effort to protect your privacy whenever possible.

If an employee believes that he or she has been subjected to any action that violates the non-retaliation provisions, the employee may file a complaint in accordance with the HOP, [Section 2.5.3](#), "Procedures for Handling Allegations of Retaliation". For retaliation relating to discrimination, sexual harassment and sexual misconduct contact the Equal Employment Opportunity/Affirmative Action Office.

If it is determined through the institution's retaliation complaint proceedings that an employee has experienced retaliation, the Health Science Center shall take appropriate corrective action.

This policy does not protect an employee who files a report or provides information that he or she knows to be false or who does not have a reasonable belief in the truth and accuracy of the information. An employee who is determined to knowingly have made false accusations or given false information during an investigation may be subject to disciplinary action, including termination of employment, in accordance with applicable institutional policies and procedures.
