

# **Reporting and Investigating Allegations of Suspected Improper Activities Policy**

(Whistleblower Policy)

- A. Gonzaga University has a responsibility for the stewardship of university resources and the public and private support that enables it to pursue its Mission. Gonzaga University is committed to compliance with the laws and regulations to which it is subject and to promulgating university policies and procedures to interpret and apply these laws and regulations in Gonzaga University setting. Laws, regulations, policies, and procedures strengthen and promote ethical practices and ethical treatment of all members of the Gonzaga community, those who conduct business with Gonzaga, and those who conduct Gonzaga's business.
- B. Gonzaga's internal controls and operating procedures are intended to detect and prevent or deter improper use of university assets, misappropriations, or improper commercial business transactions or activities. However, even the best systems of control cannot provide absolute safeguards against such irregularities. Intentional and unintentional violations of laws, regulations, policies, and procedures may occur and may constitute improper use of university assets, misappropriations, or improper commercial business transactions or activities. Gonzaga has a responsibility to investigate and report to appropriate parties allegations of any such suspected improper activities. Examples of improper activities are set forth in Exhibit A.
- C. Anyone may report an allegation of improper use of university assets, misappropriations, or improper commercial business transactions or activities. A whistleblower report must be made to Gonzaga's corporate counsel, who may require a written statement. The corporation counsel shall investigate to determine the facts. The investigation shall include an opportunity for any person against whom allegations have been reported to make a report of the facts to the corporation counsel and the audit committee. In all instances, Gonzaga retains the prerogative to determine when circumstances warrant an investigation and, in conformity with this policy and applicable laws and regulations, the appropriate investigative process and/or disciplinary process to be employed. At the conclusion of any investigation, the corporate counsel shall make a report to the president.
- D. This policy will be published in the Gonzaga University *Faculty Handbook* and in the *Gonzaga University Personnel Policies and Procedures Manual*. Additionally, all Gonzaga purchase orders and contracts, to the extent possible, will contain language informing the reader of this policy and where it may be obtained.
- E. A person or entity reporting improper use of university assets, misappropriations, or improper commercial business transactions or activities is commonly referred to as a whistleblower. Whistleblowers may be university employees (academic or staff), applicants for employment, students, vendors, contractors, or the general public. The whistleblower's role is as a reporting party. Whistleblowers are not investigators or finders of fact, nor do they determine the appropriate corrective or remedial action that may be warranted.
- F. Whistleblowers frequently make their reports in confidence. To the extent possible, within the limitations of law and policy and the need to conduct a competent investigation, confidentiality of whistleblowers will be maintained. Whistleblowers should be cautioned that their identity may become known for reasons outside of the control of the investigators or university administrators. Should the whistleblower self-disclose his or her identity, Gonzaga will no longer be obligated to maintain such confidence.
- G. Similarly, the identity of the subject(s) of the investigation will be maintained in confidence with the same limitations.

- H. Gonzaga will not retaliate or tolerate retaliation against a whistleblower. Examples of reprisal or retaliation include, but are not limited, to those described on the attached Exhibit A. A whistleblower's right to confidentiality and protection from retaliation does not extend immunity for any complicity in the matters that are the subject of the allegations or an ensuing investigation.
- I. This whistleblower policy does not address work-related conflicts and thus does not replace or supplant the **Part 2: Grievance Policy** found in the *Gonzaga University Policies and Procedures Manual* and in the *Gonzaga University Faculty Handbook*, Section 307.00, et seq., under the circumstances described herein.

## **Exhibit A**

### **Examples of Improper Conduct and Reprisal or Retaliation**

Examples of improper conduct include, but are not limited to the following:

1. Forgery or alteration of documents
2. Unauthorized alteration or manipulation of computer files
3. Fraudulent financial reporting
4. Pursuit of a benefit or advantage in violation of Gonzaga's conflict of interest policy.
5. Misappropriation or misuse of university resources, such as funds, supplies, or other assets
6. Authorizing or receiving compensation for goods not received or services not performed
7. Authorizing or receiving compensation for hours not worked
8. Knowingly allowing others to do a dishonest act

Examples of reprisal or retaliation include, but are not limited to the following:

1. Denial of adequate staff to perform duties
2. Refusal to assign meaningful work
3. Unwarranted or unsubstantiated letters of reprimand or unsatisfactory performance evaluations
4. Demotion
5. Reductions in pay
6. Denial of promotion
7. Suspension
8. Dismissal
9. Supervisor encouraging co-workers to behave in a hostile manner toward the whistleblower