

# **Regional Center of the East Bay**

## **WHISTLEBLOWER POLICY**

It is the intent of the Board of Directors of the Regional Center of the East Bay (RCEB) to encourage its employees, board members, consumers/families, and vendor community to report alleged improper activity and/or alleged improper vendor/contractor activities.

An improper regional center activity is defined as an activity by a regional center, or an employee, officer or board member of a regional center, in the conduct of regional center business, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitute gross misconduct, incompetency or inefficiency.

An improper vendor/contractor activity means an activity by a vendor/contractor, or an employee, officer, or board member of a vendor/contractor, in the provision of State funded services, that is a violation of a state or federal law or regulation; violation of contract provisions; fraud or fiscal malfeasance; misuse of government property; or constitutes gross misconduct, incompetency, or inefficiency.

If any employee, board member, consumer/family, or vendor/contractor reasonably believes that some policy, practice or activity of RCEB is in violation of law, a written complaint may be filed with the Executive Director, the Human Resources Director, or the President of the Board of Directors. Written complaints, including complaints of retaliation will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

RCEB will do everything possible to maintain the confidentiality of a complainant making a whistleblower complaint if the complainant requests confidentiality. However, in the rare circumstances where RCEB is unable to maintain confidentiality due to its statutory responsibilities (including ensuring the health and safety of consumers and regional center contract compliance), the RCEB will attempt to inform the complainant of its need to disclose certain information prior to releasing identifying information. Additionally, the identity of the complainant may be revealed to appropriate law enforcement agencies conducting a criminal investigation

It is RCEB's intent to adhere to all laws and regulations that apply to the agency. The underlying purpose of this policy is to support the agency's goal of legal compliance. The support of all employees is necessary to achieving compliance with laws and regulations.

RCEB will not retaliate against an employee, board member, consumer/family, or vendor/contractor who, in good faith, has made a protest or raised a complaint against some practice of RCEB, or a vendor/contractor, on the basis of a reasonable belief that the practice is in violation of law or a clear mandate of public policy. RCEB will not retaliate against an employee who discloses or threatens to disclose to a supervisor or a public body any activity, policy or practice of RCEB and/or vendor/contractor that the employee reasonably believes is in violation of a law, policy or regulation, or is in violation of a clear mandate or public policy.

An employee is protected from retaliation only if the employee brings the alleged unlawful activity, policy or practice to the attention of RCEB and provides RCEB with a reasonable opportunity to investigate and correct the alleged unlawful activity.

This Policy will be reviewed annually with employee and board members and posted on RCEB's website.

## **ACKNOWLEDGMENT**

I, \_\_\_\_\_, acknowledge that I have received a copy of, read and understand Regional Center of the East Bay's Whistleblower Protection Policy (December 2010).

\_\_\_\_\_  
*Employee Signature*

\_\_\_\_\_  
*Date*