



**Town of North Greenbush
Industrial Development Agency
2 Douglas Street
Wyanantskill, NY 12198**

**Town of North Greenbush
Industrial Development Agency
Whistleblower Policy**

Whistleblower Policy and Procedures

Purpose It is the policy of the Town of North Greenbush IDA to afford certain protections to individuals who in good faith report violations of the Town of North Greenbush IDA's Code of Ethics or other instances of potential wrongdoing within the Town of North Greenbush IDA. The Whistleblower Policy and Procedures set forth below are intended to encourage and enable employees to raise concerns in good faith within the Town of North Greenbush IDA and without fear of retaliation or adverse employment action.

Definitions

"Good Faith": Information concerning potential wrongdoing is disclosed in "good faith" when the individual making the disclosure reasonably believes such information to be true and reasonably believes that it constitutes potential wrongdoing.

"Town of North Greenbush IDA Employee": All board members, and officers and staff employed at this Town of North Greenbush IDA whether full-time, part-time, employed pursuant to contract, employees on probation and temporary employees.

"Whistleblower": Any Town of North Greenbush IDA Employee (as defined herein) who in good faith discloses information concerning wrongdoing by another Town of North Greenbush IDA employee, or concerning the business of the Town of North Greenbush IDA itself.

"Wrongdoing": Any alleged corruption, fraud, criminal or unethical activity, misconduct, waste, conflict of interest, intentional reporting of false or misleading information, or abuse of authority engaged in by a Town of North Greenbush IDA Employee (as defined herein) that relates to the Town of North Greenbush IDA.

"Personnel action": Any action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.

Section I: Reporting Wrongdoing

All Town of North Greenbush IDA Employees who discover or have knowledge of potential wrongdoing concerning board members, officers, or employees of this Town of North Greenbush IDA; or a person having business dealings with this Town of North

Adopted 10/22/2019



**Town of North Greenbush
Industrial Development Agency
2 Douglas Street
Wyanantskill, NY 12198**

Greenbush IDA; or concerning the Town of North Greenbush IDA itself, shall report such activity in accordance with the following procedures:

- a) The Town of North Greenbush IDA Employee shall disclose any information concerning wrongdoing in writing to the Chairman of the Town of North Greenbush IDA, or if this is not possible, to the Vice Chairman.
- b) All Town of North Greenbush IDA Employees who discover or have knowledge of wrongdoing shall report such wrongdoing in a prompt and timely manner.
- c) The identity of the whistleblower and the substance of his or her allegations will be kept confidential to the best extent possible.
- d) The individual to whom the potential wrongdoing is reported shall investigate and handle the claim in a timely and reasonable manner, which may include referring such information to the Authorities Budget Office or an appropriate law enforcement agency where applicable.
- e) The individual to whom the potential wrongdoing is reported shall provide the whistleblower a notification of action, in writing, in a timely and reasonable manner, stating how the claim was handled, investigated, or referred. At this point the whistleblower may decide to report the potential wrongdoing along with the notification of action to the Chairperson of the Town of North Greenbush Board of Ethics, or to a member of the Town Board.

Section II: No Retaliation or Interference

No Town of North Greenbush IDA Employee shall retaliate against any whistleblower for the disclosure of potential wrongdoing, whether through threat, coercion, or abuse of authority; and, no Town of North Greenbush IDA Employee shall interfere with the right of any other Town of North Greenbush IDA Employee by any improper means aimed at deterring disclosure of potential wrongdoing. Any attempts at retaliation or interference are strictly prohibited and:

- a) No Town of North Greenbush IDA Employee who in good faith discloses potential violations of this Town of North Greenbush IDA's Code of Ethics or other instances of potential wrongdoing, shall suffer harassment, retaliation or adverse personnel action.
- b) All allegations of retaliation against a Whistleblower or interference with an individual seeking to disclose potential wrongdoing will be thoroughly investigated by the Town of North Greenbush IDA



**Town of North Greenbush
Industrial Development Agency
2 Douglas Street
Wyanantskill, NY 12198**

- c) Any Town of North Greenbush IDA Employee who retaliates against or had attempted to interfere with any individual for having in good faith disclosed potential violations of this Town of North Greenbush IDA's Code of Ethics or other instances of potential wrongdoing is subject to discipline, which may include termination of employment
- d) Any allegation of retaliation or interference will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate matter.

Section III: Other Legal Rights Not Impaired

The Whistleblower Policy and Procedures set forth herein are not intended to limit, diminish or impair any other rights or remedies that an individual may have under the law with respect to disclosing potential wrongdoing free from retaliation or adverse personnel action.

- a) Specifically, these Whistleblower Policy and Procedures are not intended to limit any rights or remedies that an individual may have under the laws of the State of New York, including but not limited to the following provisions: Civil Service Law § 75-b, Labor Law § 740, State Finance Law § 191 (commonly known as the "False Claims Act"), and Executive Law § 55(1).
- b) With respect to any rights or remedies that an individual may have pursuant to Civil Service Law § 75-b or Labor Law § 740, any employee who wishes to preserve such rights shall prior to disclosing information to a government body, have made a good faith effort to provide the appointing authority or his or her designee the information to be disclosed and shall provide the appointing authority or designee a reasonable time to take appropriate action unless there is imminent and serious danger to public health or safety. (See Civil Service Law § 75-b[2][b]; Labor Law § 740[3]).