

The statements contained in this policy are guidelines and summaries. They do not bind the City of Monroe. The City reserves the right to change, revoke or make exceptions to city policies at any time and at its sole discretion.

1.0 PURPOSE AND SCOPE

It is the policy of the City of Monroe to encourage reporting by its employees of improper governmental action taken by City of Monroe officers or employees and to protect City of Monroe employees who have reported improper governmental actions in accordance with the City of Monroe's policies and procedures.

2.0 EXPLANATION OF KEY TERMS

2.1 Improper Governmental Action

Any action by a City of Monroe officer or employee that is a) undertaken in the performance of the officer's or employee's official duties, whether or not the action is within the scope of the employee's employment; and b) in violation of any federal, state, or local law or rule, is an abuse of authority, is of substantial and specific danger to the public health or safety, or is a gross waste of public funds.

It does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployment, performance evaluations, reductions in pay, dismissals, suspensions, demotions, violations of collective bargaining or civil service laws, alleged violations of labor agreements or reprimands.

2.2 Retaliatory Action

Any adverse change in the terms and conditions of a City of Monroe employee's employment.

2.3 Emergency

A circumstance that if not immediately changed may cause damage to persons or property.

3.0 PROCEDURES FOR REPORTING

City of Monroe employees who become aware of improper governmental actions should raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the City Administrator or such other person as may be designated by the City Administrator to receive reports of improper governmental action.

In the case of an emergency, where the employee believes that damage to persons or property may result if action is not taken immediately, the employee may report the improper governmental action directly to the appropriate governmental agency with responsibility for investigating the improper action.

The supervisor, the City Administrator or the designee, as the case may be, shall take prompt action to assist the City of Monroe in properly investigating the report of improper governmental action. The City of Monroe officers and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

City of Monroe employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the City of Monroe employee reasonably believe that an adequate investigation was not undertaken by the City of Monroe to determine whether an improper governmental action occurred, or that insufficient action has been taken by the City of Monroe to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

City of Monroe employees who fail to make a good faith attempt to follow the City of Monroe procedures in reporting improper governmental action shall not receive the protection provided by the City of Monroe in these procedures.

4.0 PROTECTION AGAINST RETALIATORY ACTIONS

City of Monroe officials and employees are prohibited from taking retaliatory action against a City of Monroe employee because he or she has, in good faith, reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action should advise their supervisor, the City Administrator or the City Administrator's designee. City of Monroe officials and supervisors shall take appropriate action to investigate and address complaints of retaliation.

If the employee's supervisor, the City Administrator, or the City Administrator's designee, as the case may be, does not satisfactorily resolve a City of Monroe employee's complaint that he or she has been retaliated against in violation of this policy, the City of Monroe employee may obtain protection under this policy and pursuant to state law by providing a written notice to the City Council that a) specifies the alleged retaliatory action, and b) specifies the relief requested.

City of Monroe employees shall provide a copy of their written charge to the City Administrator no later than thirty (30) days after the occurrence of the alleged retaliatory action. The City of Monroe shall respond within thirty (30) days to the charge of retaliatory action.

After receiving either the response of the City of Monroe or thirty (30) days after the delivery of the charge to the City of Monroe, the employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing should deliver the request for hearing to the City Administrator within the earlier of either fifteen (15) days of delivery of the City of Monroe's response to the charge of retaliatory action, or forty-five (45) days of delivery of the charge of retaliation to the City of Monroe for response.

Upon receipt of request for hearing, the City of Monroe shall apply within five (5) working days to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge:

Office of Administrative Hearings
PO Box 42488, 4224 Sixth SE
Rowe Six, Bldg 1
Lacey, WA 98504-2488
360-664-8717

The City of Monroe will consider any recommendation provided by the administrative law judge that the retaliator is suspended with or without pay, or dismissed.

5.0 RESPONSIBILITIES

5.1 City Administrator

The City Administrator is responsible for a) implementing the City of Monroe's policies and procedures, b) reporting improper governmental action, and c) for protecting employees against retaliatory actions.

5.2 Human Resources

Human Resources is responsible for ensuring that this policy and these procedures are a) permanently posted where all employees will have reasonable access to them, b) are made available to any employee upon request, and c) are provided to all newly-hired employees.

5.2 Officers, Managers and Supervisors

Are responsible for ensuring the procedures are fully implemented within their area of responsibility.

Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including dismissal.

6.0 REFERENCE

- Agency List

*****END OF DOCUMENT*****

IMPROPER GOVERNMENTAL ACTION AGENCY LISTING

The following is a list of agencies responsible for enforcing federal, state and local laws and investigating other issues involving improper governmental action. Employees having questions about these agencies or the procedures for reporting improper governmental action are encouraged to contact the City Administrator.

Agency	Address	City	State	Zip	Phone
Monroe City Attorney	3306 Wetmore Avenue	Everett	WA	98201	425-259-5559
Snohomish County Prosecutors	3000 Rockefeller Avenue MS504, 1 st Floor, Mission Bldg.	Everett	WA	98201	425-388-3333
Monroe Police Department	818 West Main Street	Monroe	WA	98272	360-794-6300
Attorney General's Office - Fair Practices Division	900 4 th Avenue Suite 2000	Seattle	WA	98164	206-464-6684 800-551-4636
State Auditor's Office - Whistleblower	PO Box 40021	Olympia	WA	98504-0021	360-902-0090
State Department of Ecology - NW Regional Office	3190 160 th Avenue SE	Bellevue	WA	98008-5452	425-649-7000
Human Rights Commission	711 W. Capitol Way #402 PO Box 42490	Olympia	WA	98504-2490	360-753-6770
Department of Labor and Industries	315 5 th Avenue S Suite 200	Seattle	WA	98104-2607	206-515-2800
State Liquor Control Board - Seattle Enforcement Office	4401 E. Marginal Way S	Seattle	WA	98134-9947	206-464-6094
Department of Natural Resources	PO Box 47001	Olympia	WA	98504-7001	360-902-1004
Puget Sound Water Quality Authority	PO Box 40900	Olympia	WA	98504-0900	800-54-SOUND
Department of Social and Health Services Constituent Services	PO Box 45130	Olympia	WA	98504-5130	800-737-0617
Department of Agriculture	PO Box 42560 1111 Washington Street SE	Olympia	WA	98504-2560	360-902-1800
State Department of Health	1112 SE Quince Street PO Box 47890	Olympia	WA	98504-7890	360-236-4010
Alcohol Tobacco and Firearms - Seattle Field Division	915 2 nd Avenue Room 790	Seattle	WA	98174-1093	206-389-5800
Department of Commerce - Economic Dev. Adm. Regional Office	915 2 nd Avenue Jackson Federal Building Suite 1856	Seattle	WA	98174	206-220-7660
Consumer Product Safety Commission					800-638-2772

US Customs Service Office of Enforcement	1000 2 nd Avenue Suite 2300	Seattle	WA	98104	206-553-7531
US Department of Education – Office of Inspector General	915 2 nd Avenue	Seattle	WA	98174	206-553-0657 206-553-1482
Environmental Protection Agency Criminal Investigations	1200 6 th Avenue	Seattle	WA	98101	206-553-1200
Federal Trade Commission	2896 Federal Bldg 915 2 nd Avenue	Seattle	WA	98174	877-382-4357
Department of General Administration	PO Box 41000 210 11 th Avenue SW	Olympia	WA	98504- 1000	360-902-7300
Department of Health and Human Services Food & Drug Admin.	22201 23 rd Drive SE	Bothell	WA	98021- 4421	425-486-8788
Department of Housing and Urban Development	909 First Avenue Suite 200	Seattle	WA	98104- 1000	206-220-5101
Interstate Commerce Commission	915 2 nd Avenue Room 1894	Seattle	WA	98174	206-553-5421
Equal Employment Opportunity Commission “EEOC”	Federal Office Building 909 1 st Avenue Suite 400	Seattle	WA	98104- 1061	206-220-6883
King County Office of Emergency Mgmt.	7300 Perimeter Road S. Room 128	Seattle	WA	98108- 3848	206-296-3830
Department of Justice Drug Enforcement Administration	220 W. Mercer Suite 300	Seattle	WA	98119	206-553-5443
Department of Labor OSHA	1111 3 rd Avenue Suite 715	Seattle	WA	98101- 3212	206-553-5930
Mine Safety and Health Admin.	117 107 th NE	Bellevue	WA	98004	425-553-7037
Department of the Interior – US Fish and Wildlife Service	Special Agent Office 14852 NE 95 th	Redmond	WA	98052	425-883-8122
National Transportation Safety Board	19518 Pacific Hwy S	Seattle	WA	98188	206-764-3782
Nuclear Regulatory Commission					800-368-5642
Securities and Exchange Commission	Pacific Regional Office 5670 Wilshire Blvd Suite 1100	Los Angeles	CA	90036- 3648	323-965-3998 800-SEC-0330
Department of Transportation	Office of Inspector General 915 2 nd Avenue	Seattle	WA	98174	206-440-4000
Department of the Treasury – Law Enforcement Division	Bureau of Alcohol, Tobacco and Firearms 915 2 nd Avenue Room 806	Seattle	WA	98174	
Department of Veteran’s Affairs	Office of Inspector Gen. 915 2 nd Avenue	Seattle	WA	98174	800-488-8244