

Effective July 18, 2014

Approved by


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Purpose

This policy is to summarize the provisions found in RCW 42.40, commonly referred to as the "Whistleblower Act". The act was enacted to encourage employees of the state of Washington to report improper governmental actions to the Office of the State Auditor.

Definitions

Improper Governmental Action - Any action by a state employee that violates state law, abuses authority, wastes public funds or endangers public health and safety.

Policy Statement

All Washington state employees, in all branches of state government, may report a suspected improper governmental action through the Whistleblower Program. This includes temporary, classified, exempt civil service employees, and elected officials.

Attempting to use authority to interfere with the disclosure of information to the State Auditor will not be tolerated. Interfering with such disclosure or taking improper governmental action will be cause for corrective or disciplinary action.

The Whistleblower Program, enacted by the Washington State Legislature in 1982, provides a means for state employees to report suspected improper governmental actions. These or any actions by a state employee or officer that violate state laws and rules, are an abuse of authority, are of substantial and specific danger to the public health or safety or are a gross waste of public funds. Personnel actions and related complaints, including employee grievances, are not considered improper governmental actions under the act and the State Auditor is not authorized to investigate them.

Reporting Procedure

The procedure for reporting improper governmental action and the Whistleblower Reporting form can be found at the [Washington State Auditor's Office website](#) and click "[File a Whistleblower report](#)".

After obtaining the form, follow the reporting procedure and send written notification of any improper governmental action to the Office of the State Auditor. Telephone calls reporting improper governmental action will not be accepted by the Office of the State Auditor. The report should include the following information:

- A description of the improper action(s) - what happened?
- The specific state law or regulation that was violated.

- The name of the employee(s) involved.
- The agency, division, and location where the actions(s) occurred.
- When the action(s) occurred.
- Any other details that will assist in conducting an investigation.

Preliminary Investigation Conducted by the State Auditor

Upon receiving specific information that an employee has engaged in improper governmental action, the State Auditor's Office will conduct a preliminary investigation. The provider of information (if known) will receive a memo summarizing the results of the preliminary investigation. Should the Auditor determine there is reasonable cause to suspect improper actions, the employee under investigation, the head of the employing agency, the Attorney General, and other appropriate authorities will be contacted.

Protection from Retaliation

The whistleblower law provides that the identities of whistleblowers are kept confidential. It also provides remedies for retaliation. If you believe you have been subjected to retaliatory action resulting from reporting your assertions, you may file a claim with the Washington State Human Rights Commission. The Commission will investigate the claim and take appropriate action. Civil penalties for retaliation may include a fine of up to \$3,000 and suspension for 30 days without pay.

Primary roles and responsibilities for Whistleblower within the AGENCY NAME.

Role	Responsibilities
Small Agency HR Services	Sends out Whistleblower policy once a year to the small agencies.
Agency	Distributes Whistleblower policy to agency employees.

References that apply to this policy

RCW 42.40 (Whistleblower Act)