



Whistleblower Policy

Policy Statement

Johnson & Wales University is committed to fostering an environment of ethical practices and compliance with all applicable state and federal laws and regulations and university policies and procedures. The university's internal controls and operating procedures are intended to prevent and detect criminal conduct or policy violations; however, even the best systems of control cannot provide absolute safeguards.

Employees are encouraged to report all known or suspected violations of law or university policy. In turn, Johnson & Wales will investigate any credible reports of alleged violations of law or university policy and will protect those employees who, in good faith, have reported such activities. **Employees have the option of reporting anonymously, if they choose.**

The university encourages employees to report suspected noncompliance to their immediate supervisor. However, there may be instances when reporting directly to an immediate supervisor may be inappropriate or when an employee would not feel comfortable reporting to his or her immediate supervisor. For this reason, JWU has established alternative reporting options which allow employees to report suspected violations of law or university policy.

The reporting structure described in this policy is **not** intended for personal, employment or academic grievances that do not involve violations of law or university policy, or to provide a forum for the expression of opinions on policy. These types of concerns will continue to be reviewed under the applicable academic and employee personnel policies. Reports received which are beyond the scope of this policy may be, but need not be, referred to an appropriate university official for review and response.

If an employee has made a confidential report and shares their identity, the university will exercise reasonable care to keep the employee's identity confidential, unless;

- the reporting employee agrees to the disclosure,
- disclosure is necessary to allow university or law enforcement officials to investigate or respond effectively to the report, in which event disclosure will be limited to those who have a need to know the identity of the reporting employee, or
- disclosure is required by law

In instances where disclosure of the identity of a reporting employee that previously was confidential is required by law or in connection with a disciplinary proceeding, the university will use reasonable efforts to notify the reporting employee prior to releasing that information.

Retaliation

An employee who reports, in good faith, a suspected violation of law or university policy ("whistleblower") will be protected against any form of retaliation. University employees may not retaliate against a whistleblower with the intent or effect of adversely affecting the terms or conditions of employment. Whistleblowers who reasonably believe that they have been subjected to retaliation by a university employee may file a written complaint with the Office of the General Counsel (OGC) or the vice president of human resources. If retaliation is proven, the retaliating person will be subject to appropriate disciplinary actions or remedies provided in law or equity.

Reason for Policy

This policy establishes reporting mechanisms to be used by employees to report known or suspected violations of law or university policy, while protecting the reporting JWU employee, who makes a good faith report, from retaliation.

Definitions

Employee – all university faculty or staff, including student employees

Good Faith Reporting – reporting an allegation which a person reasonably believes is true or is likely to be determined to be true upon further investigation by the university

Violation of Law or University Policy – a violation of law or published university policy that arises in connection with the university’s activities or operations, including but not limited to:

- misappropriation or misuse of university resources
 - misuse of governmental funding
 - forgery or alteration of documents
 - bribery
 - fraudulent financial reporting
 - instances of illegal discrimination
 - violation of Department of Education rules and regulations
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Procedures

Making a Report

To make a report of suspected or known violations of law or university policy (*24 hours a day, 7 days a week*):

- Fill out a Confidential Report (*preferred method*),
- Send an email to jwureport@jwu.edu, **or**
- Leave a message by dialing 1-833-JWU-LINE (1-833-598-5463)

Reports will be reviewed within 24 hours of receipt, Monday - Friday. If contact information is included in the report, the reporting employee will be contacted to confirm receipt of the report and, when appropriate, to request additional information.

Reports under this policy should be made as soon as possible, preferably within six months of the alleged occurrence. When making a report, the reporting employee should provide as much relevant detail as possible, indicate whether the report is confidential and, if comfortable doing so, provide a name, contact information and indicate preferred times and methods of communication.

Reports received pursuant to this policy are monitored by the university’s Compliance, Internal Audit & Risk Management (CIARM) department. CIARM is an independent department not directly involved in

the operational management of the university. In any instance where an employee feels that reporting to CIARM would be improper, employees may report to the university's general counsel.

Internal Controls

Whistleblower reporting mechanisms are monitored and managed by the compliance officer. In order to preserve the integrity of the reporting structures in place, the compliance officer will meet with the senior vice president of compliance, internal audit & risk management, the vice president of finance and a designee from the Office of the General Counsel periodically to review the reports received, the logs maintained and the status of any ongoing investigations.

Periodic reports will be distributed to the following, unless there is a conflict of interest with any of the individuals:

- a. JWU Audit Committee
- b. the chancellor
- c. the vice chancellor
- d. the chief operating officer
- e. the general counsel,
- f. the director of internal audit, and
- g. the chief financial officer

The compliance officer will notify all of the above promptly of any matter which may have a material impact on university finances, mission-critical or compliance-related policies, or significant violations of governing laws and regulations, including but not limited to criminal acts.

Who Should Read and Understand this Policy

All university employees (including student employees)

Related Documents

N/A

Contacts

- Compliance Officer
- General Counsel

Whistleblower Policy
Originally Issued: August 2007
Last Updated: October 2017