

BOARD OF REGENTS
EASTERN MICHIGAN UNIVERSITY

SECTION: 27

DATE:

June 18, 2013

RECOMMENDATION TO ENACT WHISTLEBLOWER POLICY

ACTION REQUESTED

It is recommended that the Board of Regents Enact Board Policy 3.1.14 Anti-Retaliation and Whistleblower Policy.

STAFF SUMMARY

The proposed Board Policy is applicable to all Eastern Michigan University faculty, staff, students, vendors and visitors and prohibits retaliation for engaging in protected activity as outlined in the proposed policy. This policy is intended to further advance a culture of transparency and openness in which all members of the University community will feel free to bring forward their concerns without fear of retribution.

FISCAL IMPLICATIONS

None.

ADMINISTRATIVE RECOMMENDATION

The proposed Board action has been reviewed and is recommended for Board approval.

University Executive Officer
Gloria A. Hage
General Counsel

Date

3. Employment and Affirmative Action

3.1. Employment

3.1.14. Anti-Retaliation and Whistleblower Policy

Effective Date: TBD

UNIVERSITY POLICY STATEMENT

Eastern Michigan University strives to foster a climate of open dialogue in which faculty, staff, students, vendors and visitors are encouraged to bring concerns forward in good faith and in the best interest of the University without fear of reprisal. Individuals will not be penalized for raising concerns, or “whistleblowing”, as described in this policy.

A Whistleblower as defined in this Policy is someone who in good faith reports or is about to report an activity that is a violation or suspected violation of law, regulation, rule, university policy, or dishonest or wrongful conduct to one or more of the parties specified in this Policy. A whistleblower is also defined as someone who participates in an investigation, hearing, or other inquiry held by the University, an agency or a court. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures.

Examples of illegal, dishonest, or wrongful activities are defined in the following University Policies: 3.1.2 Equal Employment Opportunity/Affirmative Action; 3.1.3 Civil Rights; 3.1.7 Conflict of Interest; 3.1.8 Sexual Harassment and Other Prohibited Conduct; 3.1.10 Ethics, 6.2.6 Human Subjects Research Review; 6.2.8 Academic Misconduct; 10.1 Intercollegiate Athletics Compliance; Ethics 11.7 Fraud and Fraudulent Activities. University policies can be found at <http://www.emich.edu/policies/>.

Eastern Michigan University will not discriminate against a person with respect to his or her relationship with the University because the employee, or a person acting on behalf of an employee, is a Whistleblower. Discrimination includes any action that affects compensation, terms, conditions, location, or work assignments, course assignments or grades, or any other privilege of employment, student status or other relationship with the university.

Any person who believes he/she is being retaliated against should bring the matter to the attention of the Chief Human Resources Officer, the Assistant Vice President for Academic Affairs, the Legal Affairs Office, or any person in the supervisory chain of authority. An anonymous report may be made through the University Ethics and Compliance Reporting Process found on the Board of Regents website; <http://www.emich.edu/regents/>.

The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

All reports of illegal and dishonest activities will be investigated. Any questions regarding this policy should be directed to either the Chief Human Resources Officer or Assistant Vice President for Academic Affairs/

Whistleblower protections are provided in two important areas, confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense.

SCOPE OF POLICY COVERAGE

All EMU employees, students, vendors and visitors.