

SPOKANE COUNTY FIRE DISTRICT 8

Policy

P10.05.05 Whistleblower



Adopted: 10/19/2015

Board Chair:

Commissioner:

Commissioner:

Policy: Whistleblower

Spokane County Fire District 8 strives to conduct its business with integrity and in strict accordance with all applicable federal, state and local laws. Accordingly, members are encouraged to bring to our attention any improper actions of Spokane County Fire District 8 officers or its members. We will not retaliate against any member who makes a complaint of improper actions in good faith and in accordance with the procedures set out in this policy.

Reporting Procedures: As used in this policy, “improper actions” refers to actions undertaken by an officer or member in the performance of his or her official duties that:

1. Are in violation of any federal, state or local law;
2. Are an abuse of authority;
3. Create a substantial and specific danger to public health;
4. Grossly waste public funds.

Improper actions” do not include personnel actions, such as the processing of grievances, decisions regarding hiring, promotion, firing, and other discipline, or alleged violations of labor (collective bargaining) agreements, employment contracts or employment policies.

Except in the case of an emergency involving an immediate threat of damage to persons or property, improper actions must be reported internally in accordance with this policy.

To report improper actions, submit your concern and related information (“complaint”) in writing to the Fire Chief. If the complaint concerns the Fire Chief, submit the complaint to the Spokane County Fire District 8 Board of Fire Commissioners. Your identity will be kept confidential to the extent possible under law and consistent with our need to investigate the complaint, unless you provide written authorization for disclosure. You may report under this policy through a union business representative or attorney.

We will have ten working days to address your complaint and provide you with a written response that identifies the alleged improper action at issue, describes the scope and findings of our investigation, states what, if any, action will be taken against the offending officers or members, and explains why that action is appropriate.

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If you are not satisfied with our investigation or resolution of your complaint, you may request reconsideration in writing within five working days of receipt of our written response. Written requests for reconsideration must be submitted to the Fire Chief and must identify the specific elements of the investigation or written response that you find unsatisfactory. We have three working days to advise you in writing whether reconsideration will be granted. Any reconsideration will be limited to examination of the specific issues you raised in your written request. We will have five working days from the date reconsideration is granted to complete additional investigations and give you a written response.

You may report information about improper governmental action directly to the Spokane County Prosecuting Attorney, Washington Attorney General, Washington State Auditor or other appropriate government agency with responsibility for investigating the improper action if you reasonably believe that an adequate investigation was not undertaken by the District to determine whether an improper governmental action occurred, or that insufficient action has been taken by the District to address the improper governmental action or that for other reasons the improper governmental action is likely to recur.

All members must strictly follow this policy. Members who comply with this policy will not be subject to discipline or discharge for reporting, disclosure or other activities done pursuant to this policy. Going outside this reporting and reconsideration policy is permitted only in those rare cases where persons or property will be damaged if the alleged improper conduct is not immediately addressed. Members who fail to make a good-faith attempt to follow the District's procedures in reporting improper governmental action shall not receive the protections provided by the District in these procedures or the protections provided by chapter 42.41 RCW.

Protection Against Retaliation: All Spokane County Fire District 8 personnel are prohibited from taking any adverse employment action against a member who registers a complaint in good faith with a public body in accordance with this policy. If you believe you have been retaliated against for reporting improper actions in accordance with this policy, you may seek redress as follows:

1. You must provide written notice of the charge of retaliatory action to the Fire Chief within 30 days of the date the alleged retaliatory action occurred. The notice must describe the alleged retaliatory action and the persons allegedly involved, and identify the relief request.
2. The Fire Chief will respond to the charge in writing within 30 days of its submission. The response will: identify the alleged retaliatory action and persons

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- involved; identify the relief requested; describe the investigation conducted; state and explain the disposition of the charge; identify the relief, if any, that is being granted; and explain why any granted relief is appropriate.
3. You are entitled to a hearing if you are not satisfied with the Fire Chief's response to your charge. To receive a hearing, however, you must deliver a written hearing request to the Board of Fire Commissioners within 15 days of delivery of the Fire Chief's written response to your charge or, if the Fire Chief fails to respond within the allotted 30 day time period.
 4. Within five working days of the Board of Fire Commissioners receipt of a timely request for hearing, we will apply to the Washington State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.
 5. Unless the administrative law judge extends the period, the judge will issue a final decision no later than 45 days after the date the timely request for hearing was delivered to the Board of Fire Commissioners. The administrative law judge's decision is subject to court review.

Adopting and Posting: This policy will be permanently posted in one or more places where all members will have reasonable access. Copies of this policy will be distributed to all members upon adoption, and will be available to any member upon request.

List of Agencies

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

SPOKANE COUNTY

Spokane County Prosecuting Attorney

STATE OF WASHINGTON

Attorney General's Office
Fair Practices Division

State Auditor's Office

State Department of Ecology

Human Rights Commission

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State Department of Health
Health Consumer Assistance

Department of Labor & Industries
Fraud Prevention and Compliance

State Liquor Control Board
Enforcement Customer Service

Department of Natural Resources

Department of Social & Health Services

UNITED STATES

Department of Agriculture
Office of Inspector General

Alcohol Tobacco & Firearms
Criminal Enforcement

Consumer Product Safety Commission
Hot Line

U.S. Attorney - Seattle, WA

U. S. Customs Service
Office of Enforcement

Department of Commerce
Office of Inspector General
Office of Audits

Equal Employment Opportunity Commission

Government Accounting Office
Fraud Hot Line

U. S. Department of Education
Office of Inspector General

Environmental Protection Agency
Criminal Investigations

Federal Trade Commission

Federal Emergency
Management Agency

Department of Health & Human Services
Food & Drug Administration

General Services Administration
Office of Inspector General

Office of the Regional Secretary
General Counsel's Office,
Inspector General

Department of Housing &
Urban Development
Office of Counsel

Interstate Commerce Commission

Office of Inspector General