

## **Livingston County Industrial Development Agency Policy Prohibiting Retaliation**

It is the policy of the Livingston County Industrial Development Agency (herein "IDA" or "the Agency") that no employee of the Agency shall be subjected to any discrimination, retaliation or adverse employment action because of said employee's disclosure of any Improper Agency Action pursuant to the terms of this policy.

Prior to the disclosure of any Improper Agency Action by any employee of the Agency (herein "Disclosing Employee"), the Disclosing Employee must first disclose the purportedly Improper Agency Action to the Agency's Chief Executive Officer or any member of the Agency's governing board. Thereafter, the employee must allow the Agency's Chief Executive Officer or the Agency's governing board at least five (5) business days after receipt of the aforementioned notice to take appropriate action regarding the purported Improper Agency Action and to notify the Disclosing Employee of said action in writing, unless that appropriate action and notification would pose an imminent and serious danger to the safety and health to the public. Any disclosure of Improper Agency Action to any person or entity prior to disclosure to the Agency's Chief Executive Officer or any member of the Agency's governing board, or prior to expiration of the five business day period, is in direct contravention of this policy and may subject an employee to disciplinary action, including but not limited to commencement of the necessary proceeding to terminate the Disclosing Employee's employment.

If a Disclosing Employee discloses Improper Agency Action to the Agency's Chief Executive Officer or any member of the Agency's governing board, waits the requisite five business days, and is not informed of any appropriate action with regard to the purportedly Improper Agency Action, the Disclosing Employee may thereafter disclose the purported Improper Agency Action to any person or entity without fear of discrimination, retaliation or adverse employment action for said disclosure, provided that such disclosure is made in good faith and without malice.

For purposes of this policy, "Improper Agency Action" is defined as the following conduct:

- Any act of wrongdoing, misconduct, malfeasance, or other inappropriate behavior by an employee or member of the governing board of the Agency relative to investments, travel, the acquisition of real property, the disposition of real or personal property, the procurement of goods and services, or any action performed on behalf of the Agency;
- Any action by an employee or member of the governing board of the Agency that is a violation of a law, rule or regulation that creates a substantial and specific danger to the public's safety and/or health; or
- Any action by an employee or member of the governing board of the Agency which is undertaken in the performance of such individual's official duties and which the Disclosing Employee reasonably believes was taken in violation of any Federal, New York State or local law, rule or regulation.