

WHISTLEBLOWER

Policy Number:	HR 104
Effective Date:	Approved by the Eastern Washington State Historical Society Board of Trustees (EWSHS) on September 7, 2022
Application:	Applies to all employees of the EWSHS.
History:	Originally enacted on February 1, 2017. This policy replaces BP 123 previously HR #108.

Article I

PURPOSE

Employees of EWSHS, including temporary, classified, exempt, civil service employees, and elected officials, have the responsibility and right to report perceived instances of improper governmental action and to be protected from any form of retaliation for having participated in this protected activity. All Washington state employees, in all branches of state government, may report a suspected improper governmental action through the Whistleblower Program.

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, (RCW 42.40) 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.

Article II

DEFINITIONS

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

- 2.2 **Whistleblower Act (Chapter 42.40 RCW)** - provides an avenue for state employees to report suspected improper governmental action and makes retaliation against whistleblowers unlawful.

ARTICLE III

Reporting Procedure

- 3. 1 The procedure for reporting improper governmental action and the Whistleblower Reporting form can be found at the [Washington State Auditor's Office website](#)
- 3.2 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:
 - 3.2.1 Complainant's contact information
 - 3.2.2 Respondent(s) contact information
 - 3.2.2 Describe what happened in detail
 - 3.2.3 Provide location of additional information to support your complaint (if any)
 - 3.2.4 Other witnesses (if any) and contact information.
 - 3.2.5 Provide what state law(s) have been violated if known.
 - 3.2.6 Any other details that will assist in conducting an investigation.
- 3. 3 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 EWSHS.

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)	
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