



## NON-RETALIATION/WHISTLEBLOWER PROTECTION POLICY

Area:	Employee Relations	Number:	
Applies to:	All employees	Issued:	March 2013
Sources:		Revised:	December 24, 2020
		Reviewed:	
Policy Owner:	Associate Vice-President for Human Resources	Page(s):	3

### I. Purpose

The University expects members of the Georgia Southern community to report compliance concerns. Georgia Southern employees have an affirmative duty to report wrongdoing in a timely manner and to refrain from retaliating against those who report violations or assist with authorized investigations. The purpose of this policy is to comply with applicable federal and state laws prohibiting retaliation, and to promote the fair treatment of members of the University community who make good faith reports of potential University-related violations of law, regulations or University policies.

### II. Policy Statement

Retaliation against members of the University community who make good faith reports regarding potential University-related violations of laws, regulations, or University policies is prohibited. Violators may be subject to disciplinary action up to and including termination.

### III. Definitions

**Good faith:** Honest belief that the information provided in support of a compliance concern is truthful based on the existing information. However, good faith does not evaporate solely because the reported information turns out to be inaccurate or does not constitute a violation of law, regulation, or policy.

**Wrongdoing:** Violations of Georgia Southern policies, state or federal law, violations of ethical and professional conduct, and fraud, waste, or abuse.

**Fraud:** A false representation of a matter of fact that is intended to deceive another. A fraudulent act may be illegal, unethical, improper, or dishonest.

**Waste:** The expenditure or allocation of resources in excess of need that is often extravagant or careless.

**Abuse:** The intentional, wrongful, or improper use of resources. Abuse may be a form of wastefulness, as it entails the exploitation of “loopholes” to the limits of the law, primarily for personal advantage.

#### **IV. Exclusions**

None.

#### **IV. Procedures – Conduct to Report**

Wrongdoing should be reported. Examples of wrongdoing include but are not limited to: Georgia Southern University policy violations, discrimination, harassment, research misconduct, academic misconduct, and privacy violations. Fraud, waste, and abuse are defined above.

Fraud should be reported and may include, but is not necessarily limited to:

- Embezzlement
- Misappropriation
- Alteration or falsification of documents
- False claims
- Asset theft
- Inappropriate use of computer systems
- Bribery or kickbacks
- Conflict of Interest
- Intentional misrepresentation of facts

Both *Waste* and *Abuse* should also be reported.

The University is committed to conducting its affairs honestly, ethically, and in compliance with applicable laws and regulations. Members of the University community are encouraged to report good faith concerns about University-related violations of laws, regulations or University policies. Attempts to resolve any such concerns normally should be made by contacting the appropriate supervisor or other contact person within the individual’s unit. If the member is, for any reason, uncomfortable with doing so, reports may be made directly to the University officials responsible for the subject area in question, which may include officials in the Office of Equal Opportunity & Title IX, Office of Legal Affairs, or Human Resources.

Wrongdoing, fraudulent behavior, waste, abuse, or additional concerns can also be reported anonymously through the University’s toll free, 24-hour Ethics & Compliance Reporting Hotline at 877-516-3445 (*please reference the Ethics & Compliance Reporting Hotline for more detailed information*). One may also [contact EthicsPoint](#) via the web.

Additionally, reports may be made to relevant external entities or governmental agencies responsible for the enforcement of laws containing non-retaliation provisions.

### **Protection against Retaliation – Whistleblower Protection**

Georgia Southern University employees may not interfere with the right of another employee to report concerns or wrongdoing, and may not retaliate against an employee who has reported concerns or wrongdoing, who has cooperated with an authorized investigation, who has participated in a grievance or appeal procedure, or who has otherwise objected to actions that are reasonably believed to be unlawful, unethical or a violation of Georgia Southern University policy. The University will review complaints of retaliation. Anyone who believes he or she has been the victim of retaliation for reporting discrimination or harassment, or participating or cooperating in an investigation, should immediately contact the Office of Equal Opportunity & Title IX. Violations of this policy may result in disciplinary action, which may include termination of employment.

### **Conduct Prohibited**

Retaliation is any action or behavior that is designed to punish an individual for reporting concerns or wrongdoing, cooperating with an investigation, participating in a grievance or appeal procedure or otherwise objecting to conduct that is unlawful, unethical or violates USG policy. Retaliation may include, but is not limited to, dismissal from employment, demotion, suspension, loss of salary or benefits, transfer or reassignment, denial of leave, loss of benefits, denial of promotion that otherwise would have been received, and non-renewal.

Additional information regarding retaliation can be found at the following links:

- <https://www.eeoc.gov/retaliation>
- <https://www.eeoc.gov/laws/guidance/questions-and-answers-enforcement-guidance-retaliation-and-related-issues>

### **False Reports/False Information**

This policy does not protect an employee who knowingly makes false statements or knowingly submits false information to a system or institution official. Any individual found to have knowingly submitted false complaints, accusations, or statements, including during an investigation, in violation of system or institutional policy, shall be subject to appropriate disciplinary action, which may include termination of employment.