




## RETIREMENT BOARD POLICY AND REFERENCE MANUAL

<b>SUBJECT:</b> WHISTLEBLOWER POLICY	<b>Section:</b> 2-38 <b>Date Adopted/Revised:</b> 10/12/2011
<b>SYSTEM(S):</b> JOINT	<b>Approved:</b>  Retirement Administrator

### PURPOSE

It is the public policy of the State of California and of the City of Fresno Retirement (CFRS) Boards to encourage Trustees, Staff Members and Other Persons to notify an appropriate government or law enforcement agency when they have reason to believe CFRS or any agent of CFRS is violating a state or federal statute or not complying with a state or federal rule or regulation. Whistleblowers are provided with protection against retaliation for engaging in valid whistle-blowing activities as defined above under the provisions of California Labor Code §1102.5. The purpose of this policy is to assure CFRS Trustees, Staff Members and Other Persons that are provided with such protection in compliance with the law.

### POLICY

For purposes of this Policy, CFRS' staff members means employees of CFRS including those persons who are employees of the City of Fresno assigned to work at CFRS. This policy is separate from and does not replace existing grievance or complaint resolution procedures provided in an applicable MOU or the City's Administrative Order.

For purposes of this Policy, Other Persons means applicants for employment, CFRS Members and Beneficiaries, vendors, contractors or the general public.

For purposes of this Policy, Trustees means Elected, Appointed and Outside Members of the CFRS Boards.

It is the policy of the Boards that no Trustee or Staff Member may retaliate against any CFRS, Trustee, Staff Member or Other Person, including but not limited to a CFRS vendor, contractor, service provider, Member, Beneficiary or any Other Person who complies with the whistleblower provisions of the Labor Code.

## PROTECTED PERSONS

Under the Labor Code, a “whistleblower” is an employee who discloses information to a government or law enforcement agency where the employee has reasonable cause to believe that the information discloses:

- a. A violation of a state or federal statute,
- b. A violation or noncompliance with a state or federal rule or regulation, or
- c. With reference to employee safety or health, unsafe working conditions or work practices in the employee’s employment or place of employment.

## POLICY REVIEW

The Retirement Administrator will develop internal written procedures for review and investigation of any reports of retaliation in violation of this Policy.

The Boards will review this Policy at least every three years to ensure that it remains relevant and appropriate.