

**NEW YORK STATE ASSOCIATION OF
PERSONNEL AND CIVIL SERVICE OFFICERS**

WHISTLEBLOWERS POLICY
ALLEGATIONS OF MISCONDUCT REPORTING AND PROTECTIONS

Article I

Purpose

The Association has adopted this policy to protect members who make allegations of or otherwise report illegal activity or misconduct.

Article II

Illegal Activity or Misconduct

As used in this policy, “*Illegal Activity or Misconduct*” shall mean any action by an officer or member which is undertaken on behalf of the Association in violation of any federal, state or local law, rule or regulation as well as any violation of any Association by-law, rule or policy.

Article III

Procedures

1. Any Association member may in good faith provide information on any matter involving illegal activity or misconduct to any officer, executive committee member or appropriate authority responsible for the enforcement of such matters.
2. Any officer or executive committee member receiving such information of illegal activity or misconduct shall refer the matter to the executive committee for a complete, detailed investigation of the allegations. If an investigation is undertaken, it shall not exceed 120 days to complete.
3. In conducting an internal investigation, the executive committee shall use best efforts to keep confidential the identity of the person providing the information which initiated the investigation, unless the executive committee determines the information was provided other than in good faith. The result of any internal investigation shall be reported to such other authority as the executive committee deems appropriate.

Article IV
Use of Authority or Influence Restricted

No Association officer or member may, directly or indirectly, use or attempt to use his/her official authority or influence for the purpose of intimidating, threatening, coercing, commanding, influencing or attempting to intimidate, threaten, coerce, command or influence any individual for the purpose of interfering with the right of such individual to disclose information relative to illegal activity or misconduct. Pursuant to this section, "use or attempt to use official authority to influence" includes promising to confer or conferring any benefit or effecting or threatening to effect any reprisal.

Article V
Affirmation

Each officer and key member shall, prior to taking office or assuming their appointed role, affirm that such person:

1. Has read and understands the policy, and
2. Has agreed to comply with the policy.