

SOUTH NASSAU WATER AUTHORITY
WHISTLEBLOWER PROTECTION POLICY

PREAMBLE

The South Nassau water Authority (hereinafter the "Authority") is committed to operating in furtherance of its purposes and in compliance with all applicable laws, rules, and regulations, including those concerning accounting and auditing, and prohibits fraudulent practices by any of its directors, officers, and employees. This Policy applies to any matter related to the Authority's business and does not relate to private acts of an individual not connected to the business of the Authority. Further, this policy is intended to encourage and enable directors, officers and employees to raise serious concerns within the Authority prior to seeking resolution outside the Authority.

Section 1. Purpose.

It is the purpose of this policy to encourage the reporting of information that is reasonably and in good faith believed to be in violation of the Authority's Code of Ethics and Conflict of Interest Policy, applicable law or regulation.

Section 2. Definitions.

- (a) "Board" means the governing board of the Authority.
- (b) "Authority" shall mean the South Nassau Water Authority.
- (c) "Director" means a director of the Authority.
- (d) "Employee or Officer" means a person holding a position by appointment or employment in the service of the Authority.
- (e) "Personnel action" means an action affecting compensation, appointment, promotion, transfer, assignment, reassignment, reinstatement or evaluation of performance.
- (f) "Governmental body" means (i) the Board, (ii) employee, committee, member, or commission of the legislative branch of government, (iii) a representative, member or employee of a legislative body of a county, town, village or any other political subdivision or civil division of the state, (iv) a law enforcement agency or any member or employee of a law enforcement agency, or (v) the judiciary or any employee of the judiciary.
- (g) "Improper governmental action" means any action by the Authority, director, officer, employee, or agent of the Authority, director, officer or employee which is undertaken in the performance of such agent's official duties, whether or not such action is within the scope of his employment, and which is in violation of any federal, state or local law, rule or regulation.

Section 3. Applicability.

This policy applies to the directors, officers and employees of the Authority, and shall supersede any prior policy. The provisions of this policy shall apply in addition to all applicable State and local laws including, but not limited to, Section 75-b of the New York State Civil Service Law and all rules, regulations, policies and procedures of the Authority.

Section 4. Reporting a Violation.

Violations or suspected violations may be reported to a member of the Board of Directors or the Chairperson in writing stating in detail the basis for belief of the violation or suspected violation. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Anyone filing a complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegation that proves not to be substantiated and which proves to have been maliciously or knowingly to be false will be viewed as a serious disciplinary offense, which may result in the termination of employment or termination of membership.

Section 5. Investigation.

The Board of Directors shall take prompt action to assist in properly investigating the report of the alleged violation.

All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation. The result of any investigation shall be disclosed as deemed appropriate. After an investigation has been completed, the individual making the report shall be advised of the results of the investigation, except for personnel actions taken as a result of the investigation, which may be kept confidential.

Section 6. Prohibited Action.

The Authority shall not dismiss or take other disciplinary or other adverse personnel action against an employee regarding the employee's employment because the employee discloses to a governmental body information: (i) regarding a violation of the Authority's Code of Ethics and Conflict of Interest Policy, law, rule or regulation which violation creates and presents a substantial and specific danger to the public health or safety; or (ii) which the employee reasonably believes to be true and reasonably believes constitutes an improper governmental action.

Section 7. Acknowledgement.

Each director, officer and employee shall annually sign a statement, which acknowledges such person:

- a. Has received a copy of the Whistleblower Protection Policy,

- b.** Has read and understands the policy, and
- c.** Has agreed to comply with the policy.

ADOPTED: October 30, 2023