

Georgia Department of Community Health

Whistleblowers	Policy No. 405
Effective Date: October 22, 2008 Revision Date:	Page 1 of 2

- References:**
1. Whistleblower Protection Act (5 U.S.C. § 1221(e))
 2. Title VII of the 1964 Civil Rights Act, 42 USC §2000e., et seq., as amended by the Civil Rights Act of 1991
 3. The Georgia Whistleblower Act, O.C.G.A. Section 45-1-4.

I. Purpose

The Georgia Whistleblowers Act prohibits retaliation against employees who report official wrongdoing. No Department of Community Health (DCH) employee may suspend, terminate employment, or discriminate against another employee who reports a violation of the law.

II. Policy

The DCH may receive and investigate complaints or information from any employee concerning the possible existence of activities constituting fraud, waste and/or abuse in or relating to any of its programs and operations.

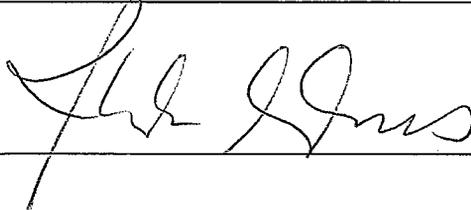
III. Definitions

- A. "Retaliate" or "retaliation" refers to the discharge, suspension, or demotion by the employer or any other adverse employment action taken by the employer against the employee for disclosing a violation of or noncompliance with a law, rule, or regulation to either a supervisor or a government agency.
- B. "Law, rule or regulation: includes any federal, state, or local statute or ordinance or any rule or regulation adopted according to any federal, state, or local statute or ordinance.

IV. Procedure

- A. Any DCH employee may report information, in good faith, concerning the possible existence of fraud, waste, and/or abuse in any DCH program and operations. If an employee chooses to report information internally, he/she should contact the Office of Human Resources, Office of General Counsel or Office of Inspector General.
- B. Any DCH employee who makes a whistleblower disclosure that was false or made with reckless disregard for its truth or falsity is not protected by this policy.

- C. Upon the receipt of a complaint or information from an employee, the DCH will not disclose the identity of the reporting employee without the written consent of the employee, unless the DCH determines that disclosure is necessary and unavoidable during the course of the investigation. In these cases, the employee will be notified of the disclosure.
- D. No DCH employee will take action against, direct others to take action against, recommend personnel action against, approve personnel action against, or threaten another DCH employee for making a complaint or reporting fraud, waste and/or abuse.
- E. Failure to comply with this policy may result in disciplinary action, up to and including termination from employment.

Approved by:  Commissioner	Date: 10/22/08
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