

BUFFALO

SEWER AUTHORITY

Title	Whistleblower Policy	Effective Date	8/2019
Approved by	Oluwole A. McFoy, P.E., General Manager	Date Revised	

Buffalo Sewer requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Buffalo Sewer Authority we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Buffalo Sewer can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of our organization code of ethics or suspected violations of law or regulations that govern Buffalo Sewer's operations.

No Retaliation

It is contrary to the values of Buffalo Sewer for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure

Buffalo Sewer has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Director of Employee Relations.

Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Director of Employee Relations who has the responsibility to investigate all reported complaints. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Compliance Officer

The Director of Employee Relations is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. He/she will advise the General Manager of all complaints and their resolution and will report at least annually to the Buffalo Sewer Board of Directors and Executive Secretary on compliance activity relating to accounting or alleged financial improprieties.

Protections

Whistleblower protections are provided in two important areas -- confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. Buffalo Sewer will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is

being retaliated against must contact the Director of Employee Relations immediately. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

Defend Trade Secrets Act (DTSA) Compliance

(1) Immunity—An individual shall not be held criminally or civilly liable under any federal or state trade secret law for the disclosure of a trade secret that—(A) is made—(i) in confidence to a federal, state or local government official, either directly or indirectly, or to an attorney; and (ii) solely for the purpose of reporting or investigating a suspected violation of law; or (B) is made in a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.

(2) Use of Trade Secret Information in Anti-Retaliation Lawsuit—An individual who files a lawsuit for retaliation by an employer for reporting a suspected violation of law may disclose the trade secret to the attorney of the individual and use the trade secret information in the court proceeding, if the individual—(A) files any document containing the trade secret under seal; and (B) does not disclose the trade secret, except pursuant to court order."

Handling of Reported Violations

The Director of Employee Relations will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

No state or local authority shall fire, discharge, demote, suspend, threaten, harass or discriminate against an employee because of the employee's role as a whistleblower, insofar as the action taken by the employee are legal and in conformance with this policy.

Employees with any questions regarding this policy should contact the Director of Employee Relations 716-851-4664.