



Policy: Non-Retaliation	Policy No: I-6.13
Policy Owner(s): Human Resources	Original Date: 3/4/2016
Last Revised Date: 11/28/2018	Approval Date: 10/17/2016

I. **POLICY:** The University strives to provide a positive, productive work environment in which employees are encouraged to report issues and concerns about their work environment or the University. This policy outlines processes for reporting alleged illegal, dishonest, discriminatory or fraudulent activity, or violations of University policy, and sets out the University’s prohibition on any retaliation for those making such reports.

II. **PURPOSE:** To set out processes for reporting violations and to provide assurances of non-retaliation for those reporting violations.

III. **SCOPE:** All employees of John Carroll University

IV. **DEFINITION:**

Reporting Person: An employee of John Carroll University who has knowledge of and who reports an activity that the employee believes in good faith to be illegal, dishonest, discriminatory, or fraudulent or otherwise violates a University policy.

Retaliation: Any adverse action (including corrective action, termination, or other material change in the terms and conditions of employment or education) taken by the University or by a University employee as a result of an individual’s reporting of illegal, dishonest, or discriminatory actions; discriminatory harassment; fraudulent activity; or of a violation of University policy.

V. **PROCEDURES:**

A. If an employee has knowledge of information indicating that illegal, dishonest, discriminatory, or fraudulent activity has occurred, or that a violation of University policy has occurred, the employee is expected to contact the employee’s immediate supervisor or Human Resources to report the information.

1. Examples of illegal, dishonest, or fraudulent activities are: violations of federal, state, or local laws; theft; billing or payment for services not performed or for goods not delivered; other fraudulent or improper

financial activities or reporting; or discriminatory actions. Discriminatory actions include violations of federal and state non-discrimination laws and/or violations of the University's Non-Discrimination Policy, which prohibits discrimination on the basis of any of the following as defined and protected by law: race, age, color, sex, sexual orientation, gender identity or expression, religion, ethnic or national origin, disability, military or veteran status protected under federal law, or genetic information.

2. Reports of sexual harassment or interpersonal violence should be reported to the Title IX Coordinator or Deputy Title IX Coordinator for investigation and/or resolution consistent with the University's policies governing sexual harassment and interpersonal violence. (See Title IX website for reporting, [http:// sites.jcu.edu/title-ix/](http://sites.jcu.edu/title-ix/)).
 3. If the employee believes the immediate supervisor or Human Resources representative has engaged in or is involved in the illegal, dishonest or fraudulent activity, or if the employee believes the employee's concerns are being ignored, the employee should report any concerns to a University office such as the JCU Police Department, Regulatory Affairs and Risk Management, Office of Legal Affairs, or the Research Office within the Provost Office. These offices will investigate the concern or refer the matter to the appropriate office.
- B. If the Reporting Person is uncomfortable discussing concerns with any of the offices named above, the Reporting Person may file a report with either EthicsPoint, the University's compliance hotline provider at 1-866-860-1886, or JCU's internal Bias Reporting System at <http://sites.jcu.edu/bias/>, as applicable to the issue being reported.
- C. Efforts will be made to perform investigations discreetly. The details of the investigation will be kept confidential to the extent possible when appropriate and feasible, and consistent with University policies and applicable federal, state, and local laws. The reporting person will be advised of the status of the investigation when appropriate.
- D. Reporting Persons are protected against retaliation. University employees are prohibited from retaliating against or harassing (in any form or using any medium, including IT resources) an individual who reports a concern in good faith. Reporting Persons may not be retaliated against in the form of any adverse employment action, such as termination, compensation reductions, material changes to terms or conditions of employment, or threats of or actual physical, mental or emotional harm or abuse.
- E. Any employee who engages in retaliation or harassment against a Reporting Person may be subject to corrective action, up to and including termination.

- F. Any Reporting Person who believes he/she is being retaliated against should contact Human Resources or the EthicsPoint hotline immediately so that the University may take appropriate action. Human Resources is responsible for investigating the report of retaliation and coordinating appropriate action, including corrective action. If the complaint of retaliation is against Human Resources, another appropriate office will be responsible for investigating the report of retaliation and coordinating appropriate action. Reports of retaliation related to sexual harassment or interpersonal violence that have been made will be referred to the Title IX Coordinator for investigation and/or resolution consistent with the University's policies governing sexual harassment and interpersonal violence.
- G. The right of a Reporting Person for protection against retaliation does not include immunity for any personal wrongdoing or policy violation of the Reporting Person that is found to exist as part of an investigation.
- H. The Reporting Person must exercise sound judgment to avoid baseless allegations of wrongdoing or of retaliation. A Reporting Person who intentionally files a false report of wrongdoing or of retaliation may be subject to corrective action, up to and including termination.
- I. Employees with any questions regarding this policy should contact Human Resources.

VI. CROSS REFERENCE:

Corrective Action Policy

Harassment Policy

Non-Discrimination Policy

Bias Reporting System: <http://sites.jcu.edu/bias/>

EthicsPoint: <https://secure.ethicspoint.com/domain/media/en/gui/13783/index.html>,
or 1-866-860-1886

Title IX website: <http://sites.jcu.edu/title-ix/>