



## Policy: Whistleblower's Act

**ChildNet Number: CN 009.084**  
**Original Approved Date: November 19, 2010**  
**Policy Revised Date(s): May 14, 2014**  
**Policy Sunset Date:**  
**COA Standard(s): ETH 4, HR 4.05, 5.01, RPM 1**

### Statement of Policy:

Per our state contract with the Department of Children and Families, ChildNet has an independent contractor relationship with the department. In accordance with section 112.3187(2), Florida Statutes (F.S.), the purpose of the Whistle-blower's Act is to prevent independent contractors from taking retaliatory action against an employee who reports to an appropriate agency violations or suspected violations of law on the part of ChildNet that create a substantial and specific danger to the public's health, safety, or welfare, which includes a prohibition on any contractor (including ChildNet) taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of an agency, public officer, or employee.

Board Chair's Signature: \_\_\_\_\_

Date: \_\_\_\_\_



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**Definitions: Independent Contractor-** A person or business who performs services for another person under an express or implied agreement and who is not subject to the other's control, or right to control, the manner and means of performing the services; not as an employee. One who engages an independent contractor is not liable to others for the acts of omissions of the independent contractor.

### **Statement of Procedures:**

A. Filing for Whistle-blower Protection. In accordance with s.112.3187(7), F.S., employees and persons may file with the Office of Chief Inspector General, Agency Inspector General, the Florida Commission on Human Relations or the Whistle-blower's Hotline number at 1-800-543-5353 for whistle-blower protection when they disclose information as described below:

1. Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by ChildNet which creates and presents a substantial and specific danger to the public's health, safety, or welfare.
2. Any act or suspected act of gross mismanagement, malfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by ChildNet.

### B. Actions Prohibited.

1. ChildNet will not dismiss, discipline, or take any other adverse personnel action against an employee for disclosing information.
2. ChildNet will not take any adverse action that affects the rights or interests of a person in retaliation for the person's disclosure of information.
3. The provisions of this subsection shall not be applicable when an employee or person disclosed information known by the employee or person to be false.



C. Remedies.

1. Any employee who is discharged, disciplined, or subjected to other adverse personnel action due to engaging in an activity protected by the whistleblower act may file a complaint with the Florida Commission on Human Relations, in accordance with s.112.31895, F.S.
2. Retaliatory action by supervisory/management personnel is prohibited even for disclosures that do not meet the criteria under this Act. ChildNet adheres to the Florida Private Whistleblower Act in all aspects of its operations and employees with concerns regarding the actual or suspected violation of any law, rule or regulation applicable to ChildNet's operations, whether or not encompassed by the Section 112.31895, use this policy to raise such concerns or use ChildNet's Reporting of Concerns and Grievances Policy (CN 009.080).

D. Procedures for Reporting Suspected Wrongdoing.

1. ChildNet is responsible for reporting suspected wrongdoing in accordance with CFOP 180-4 to the Office of Inspector General. A complaint of retaliation may be submitted directly to the Florida Commission on Human Relations.
2. Reports of suspected wrongdoing including retaliation for disclosing minor offenses may also be submitted through the use of the Inspector General's automated web-based complaint form available on the Department's home page under "Submit a Complaint" or by mailing a complaint directly to: Office of Inspector General, 1317 Winewood Boulevard, Building 5, 2nd Floor, Tallahassee, FL 32399-0700.

President's Signature:

Date:

05-22-14