

## CONSCIENTIOUS EMPLOYEE PROTECTION

### **I. Scope**

This policy protects from retaliatory action any employee who communicates any evidence of unlawful activity concerning the College or any activity which is in direct conflict with College policy as adopted by the Board of Trustees.

### **II. Policy Statement**

#### **A. Protection**

In accordance with the New Jersey Conscientious Employee Protection Act (the "Act"), N.J.S.A. 34:19-1 et seq., the College prohibits any retaliatory action against an employee because the employee:

1. Discloses or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the College that the employee reasonably believes is in violation of a law, regulation promulgated pursuant to law;
2. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, regulation promulgated pursuant to law, by the employer or another employer, with whom the College has a business relationship;
3. Objects to or refuses to participate in an activity, policy or practice if the employee reasonably believes that it is in violation of a law or regulation, is fraudulent or incompatible with public policy concerning the public health, safety or welfare or protection of the environment; or
4. Discloses an activity or practice that is in violation of College policies and procedures.

The protection against retaliatory action shall not apply to an employee who makes a disclosure to a public body unless the employee has brought the activity, policy or practice at issue to the attention of his/her immediate supervisor or other supervisor within his/her chain of command, or the Director of Compliance by written notice and has afforded the college a reasonable opportunity to correct the activity, policy, or practice. Such written notice shall not be required if the employee is reasonably certain that the activity, policy or practice is known to one or more supervisors in his/her chain of command or if the situation or condition constitutes an emergency and the employee reasonably fears that physical harm may result from it.

This policy shall not be interpreted to exempt an employee from the responsibility to adhere to all federal, state, and local laws; and applicable college policies and procedures.

#### **B. Discipline**

All members of the college community are responsible for compliance with this policy. Any supervisor or other employee who willfully violates this policy will be subject to discipline and possible termination of employment according to established procedures.

Approved:

Board of Trustees

May 18, 2006