

RESOLUTION #145 - 02/23/11

ADOPTING A WHISTLEBLOWER PROTECTION POLICY – LEGISLATURE

BY: Mr. Defayette

WHEREAS, an audit of Clinton County’s Codes of Ethics and Procedures conducted by the New York State Comptroller’s Office in 2010 resulted in a recommendation that Clinton County consider adopting provisions that ensure that Clinton County officers and employees are made aware of whistleblower protections; and

WHEREAS, as a result of this recommendation, the Legislative Office drafted a Whistleblower Protection Policy that was reviewed and approved by the Personnel Director and County Attorney; and

WHEREAS, the Whistleblower Protection Policy is as follows:

***Clinton County  
Whistleblower Protection Policy***

**1. INTRODUCTION**

*“Whistleblowing” is generally used to refer to the act by an employee of making a disclosure evidencing illegal or improper government activities. Whistleblower laws have been adopted on the federal level to protect Federal employees from retaliatory acts, and similar laws have been adopted by New York State to protect all employees of the State.*

*Whistleblower Protection afforded under New York State law: Section 740 of the New York State Labor Law provides protection to employees from retaliatory acts for engaging in the following activities:*

- 1) reporting a practice of the employer (Clinton County Government) that is in violation of law, rule or regulation; or*
- 2) providing information or testimony regarding the violation of law, rule or regulation; or*
- 3) objecting or refusing to participate in any activity, policy or practice in violation of a law, rule or regulation.*

**2. POLICY**

*Clinton County is committed to affording protection to County employees from retaliatory acts by any County Official for the protected actions listed in the New York State Whistleblower Protection Law (Section 740 of the New York Labor Law).*

*A copy of Section 740 of the New York State Labor Law is attached to this Policy.*

now, therefore,

BE IT RESOLVED, upon recommendation of the Finance Committee, at its meeting of February 15, 2011, the Clinton County Legislature hereby authorizes adoption of the proposed Whistleblower Protection Policy; and

BE IT FURTHER RESOLVED, that the Whistleblower Protection Policy shall be effective immediately and distributed to all current and future Clinton County employees.

SECONDED BY: Mr. Butler  
ADOPTED

"Yes" 7  
"No" 0  
Absent 3 (Messrs. McManus, Sears, Mrs. Walker)

STATE OF NEW YORK)  
COUNTY OF CLINTON) SS:  
LEGISLATIVE CHAMBERS)

I HEREBY CERTIFY that the foregoing is a true copy of a resolution acted upon by the County Legislature in Regular Session on February 23, 2011.

A quorum being present, and a majority voting therefore.

*Michael E. Zurlo*

Michael E. Zurlo  
Clerk of the Legislature

(SEAL)

