

****416 – Whistle Blower:** This policy is updated to reflect all of the statutory definitions in the Protection of Public Employees Act (i.e., the whistle blower act). We have also clarified the employee protections section to coincide with current law.

DEFINITIONS

“Adverse action” means to discharge, threaten or otherwise discriminate against an employee in any manner that affects the employee’s employment, including compensation, terms, conditions, location, rights, immunities, promotions or privileges.

“Communicate” means a verbal or written report.

“Employee” means a person who performs a service for wages or other remuneration.

“Good faith” means a reasonable basis in fact for a communication, or for the participation or provision of information in an investigation, hearing, court, proceeding, legislative or other inquiry, or other form of administrative review. Good faith is lacking where the employee knew or reasonably ought to have known that the employee’s report, or participation or information provided is malicious, false, or frivolous.

EMPLOYEE PROTECTIONS

In accordance with Idaho law, all district employees are protected from **adverse action** for reporting waste or violations of any law, rule, or regulation so long as the employee:

1. Reports in good faith his or her belief that there is waste of public funds;
2. Reports in good faith the violation or suspected violation of a law, rule, or regulation;
3. Participates **in good faith** in or gives information in an investigation, hearing, court proceeding, legislative, or other inquiry, or other **form of** administrative review; or
4. Objects to or refuses to carry out a directive that the employee **reasonably** believes violates a law, rule, or regulation.

An employee who alleges a violation of this policy may bring a civil action in district court within one hundred eighty (180) days after the occurrence of the alleged violation.



LEGAL REFERENCE:

Idaho Code §§6-2101 *et seq.*

ADOPTED:

AMENDED: