



Sullivan County Whistleblower Policy

Current Policy/Procedure Information

Policy/Procedure Number	Resolution Number	Revision Date	Next Scheduled Review	Responsible Department/Individual
COMP 1.6.2		May 2026	May 2027	Compliance Office, Human Resources Commissioner, County Attorney



**Sullivan County
Corporate Compliance Program
Sullivan County Whistleblower Policy**

Table of Contents

I. Statement of Policy	3
II. Scope	3
III. Reference	3
IV. Definitions	3
V. Procedure	3
1. Written Policies, Procedures and Standards of Conduct	3
2. Effective Lines of Communication	4
3. Reporting Procedures	4
4. Bi-Annual Report	4
5. Non-Retaliation	5
6. Whistleblower Protection	5
VI. Document History	8

I. Statement of Policy

The Sullivan County Legislature (hereinafter "Legislature") believes that County employees and persons doing business with the County of Sullivan may be in a position to know whether there are instances of unlawful or fraudulent conduct occurring within County government.

The Legislature believes that some County employees and persons doing business with the County may be reluctant to report instances of unlawful or fraudulent conduct due to a fear of retaliation.

All County employees and persons doing business with the County should be advised that the County is committed to pursuing and investigating allegations of unlawful or fraudulent conduct occurring within County government.

The Legislature believes that all County employees and persons doing business with the County should be advised that there are a number of federal and state statutes which protect the rights of so-called whistleblowers and that the County, in accordance with those statutes and with its own policy, does not permit retaliation against persons who in good faith, report unlawful or fraudulent conduct within County government to appropriate officials.

II. Scope

This policy applies to all current and former County employees, contractors, vendors, volunteers and recipients of service.

III. Reference

NYCRR Title 18 Part 521, Resolution No. 305-19, Sullivan County Corporate Compliance/False Claims Act Policy, Resolution No. 442-22, NYS Civil Service Law §75-b, Sullivan County Code of Conduct, Federal False Claims Act, NYS False Claims Act, Labor Law 740, Labor Law 741

IV. Definitions

Whistleblower: A Whistleblower as defined by this policy is a current or former employee, contractor, vendor, volunteer, or recipient of service of the County of Sullivan, who reports an activity that they consider to be fraudulent or unlawful to one or more of the parties specified in this policy.

V. PROCEDURE

1. Written Policies, Procedures and Standards of Conduct

The County Manager is hereby directed to advise all existing County employees, all new County employees and all persons contracting to do business with the County, by such means as the County Manager shall deem appropriate and effective, of the following:

The Legislature encourages all County employees and persons doing business with the County to report to appropriate officials, any unlawful or fraudulent conduct occurring within County government.

2. Effective Lines of Communication

Any current or former employee, contractor, vendor, volunteer, or recipient of service of the County who, in good faith, believes that particular conduct is unlawful or fraudulent is encouraged to report such fact, to the Confidential Compliance Hotline, to the Commissioner of Human Resources or to the Compliance Officer.

Any such report should include a brief statement outlining their concerns and any additional information that will enable the Compliance Officer to contact the source for additional information.

The County will thoroughly and thoughtfully investigate in a timely and appropriate manner whistleblower matters issues that are brought to their attention, with a commitment to contact so-called whistleblowers within two business days of the initial report.

3. Reporting Procedures

Reports of suspected unlawful or fraudulent behavior can be reported by using either of the following methods:

- A. Calling the toll-free Confidential Compliance Hotline at 1-833-955-1559, which is available 24/7/365. The hotline is setup for anonymity.
- B. Verbal or written report to the Compliance Officer or the Commissioner of Human Resources.

Reports of violations or suspected violations will be kept confidential to the extent permitted by law. The report and the ongoing investigation will only be revealed to those necessary to conduct and conclude a thorough investigation.

Reports should include information to enable the appropriate County official to contact the source of the report for additional information and provide a brief statement outlining their concerns, which may be of assistance in investigating any incident reported.

4. Bi-Annual Report

In January and July of each year, the Compliance Officer shall advise the County Legislature, without disclosing the identity of reporting individuals, of the number and nature of all reports made pursuant to this Resolution and what has been done with respect to each such report.

5. Non-Retaliation

All individuals interviewed or contacted will be informed of the sensitivity of maintaining confidentiality.

The County is committed to non-retaliation, recognizes the various applicable State and Federal laws, and will protect any whistleblower who in good-faith reports unlawful or fraudulent behavior for participation in the Compliance Program.

All unlawful and fraudulent activities which are reported in good-faith shall be investigated and without fear of retaliation or intimidation.

Those who engage in such improper interference or retaliation may be subject to disciplinary action up to and including termination.

The County Manager and the Commissioner of Human Resources shall take reasonable steps to see to it that there shall be no retaliation against any current or former employee, contractor, vendor, volunteer, or recipient of service of the County on account of any good-faith report, filed in accordance with the procedure set forth herein, disclosing unlawful or fraudulent conduct occurring within County government. Federal and State laws protect persons from retaliation when in, good-faith, they report unlawful or fraudulent conduct to appropriate officials. The County is committed to non-retaliation and recognizes the various applicable State and Federal laws.

6. Whistleblower Protection

a. Federal False Claims Act (31U.S.C. §3730(h))

The Federal False Claims Act provides protection to qui tam relators (individuals who commence a False Claims action) who are discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the FCA. 31 U.S.C. 3730 (h). Remedies include reinstatement with comparable seniority as the qui tam relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

b. New York State False Claims Act (State Finance Law §191)

The New York State False Claim Act also provides protection to qui tam relators (individuals who commence a False Claims action) who are discharged demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of their employment as a result of their furtherance of an action under the Act. Remedies include reinstatement with comparable seniority as the qui tam relator would have had but for the discrimination, two times the amount of any back pay, interest on any back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees.

c. New York State Labor Law, Section 740

An employer may not take any retaliatory action against a current or former employee because the employee: (1) discloses, or threatens to disclose, to a supervisor or to a public body any activity, policy or practice of the employer that the employee reasonably believes is in violation of any law, rule or regulation; (2) provides information to, or testifies before, any public body conducting an investigation, hearing, or inquiry into any such activity, policy, or practice; or (3) objects to, or refuses to participate in, any such activity, policy, or practice.

A “public body” includes federal, state, or local legislatures, courts, regulatory agencies, law enforcement agencies, and executive branch departments and their subdivisions.

Before reporting to a public body, an employee must make a good faith effort to notify his or her employer by bringing the matter to the attention of a supervisor and giving the employer a reasonable opportunity to correct the activity, policy, or practice. This internal reporting requirement does not apply where: (a) there is an imminent and serious danger to public health or safety; (b) the employee reasonably believes that reporting to a supervisor would result in the destruction of evidence or concealment of the activity; (c) the activity could reasonably be expected to endanger the welfare of a minor; (d) the employee reasonably believes that reporting to a supervisor would result in physical harm to the employee or any other person; or (e) the employee reasonably believes that the supervisor is already aware of the activity and will not correct it. Note that disclosure directly to a supervisor is itself a protected activity at all times, regardless of whether the employee also reports externally.

If an employer takes a retaliatory action against an employee in violation of this section, the employee may bring civil action in state court within two years of retaliatory action. Available remedies include: reinstatement to the same, or an equivalent position, or front pay in lieu thereof; reinstatement of full fringe benefits and seniority rights; compensation for lost wages, benefits and other remuneration; reasonable costs, disbursements and attorney’s fees; a civil penalty of \$10,000; and punitive damages if the violation was willful, malicious, or wanton.

Every employer is required to post a notice of employee protections, rights, and obligations under this section in a conspicuous, accessible location frequented by employees.

d. New York State Labor Law, Section 741

A health care employer may not take any retaliatory action against an employee if the employee discloses certain information about the employer's policies, practices or activities to a regulatory, law enforcement or other similar agency or public official. Protected disclosures are those that assert that, in good faith, the employee believes constitute improper quality of patient care. The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation, unless the danger is imminent to the public or patient and the employee believes in good faith that reporting to a supervisor would not result in corrective action. If an employer takes a retaliatory action



Sullivan County Corporate Compliance Program

against the employee, the employee may sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorney's fees. If the employer is a health provider and the court finds that the employer's retaliatory action was in bad faith, it may impose a civil penalty of \$10,000 on the employer.



VI. Document History

Sullivan County Whistleblower Policy

Policy/Procedure Number	Resolution Number	Revision Date
COMP 1.6.2		May 2026
COMP 1.6.1	442-22	October 2022
COMP 1.6	447-09	November 2009 (Effective)