

**WHISTLEBLOWER PROTECTION:
COMPLAINT PROCEDURE FOR ALLEGATIONS OF RETALIATION POLICY**

Implementation Date: 3/1/2004

Definition

California State University San Marcos (CSUSM) employees are prohibited from engaging in any improper governmental activities or activities that create significant threats to the health and/or safety of the campus community in the performance of their official duties.

CSUSM employees, applicants for CSUSM employment and all other state employees should be free to report waste, fraud, abuse of authority, violation of law, or threat to public health occurring at CSUSM without fear of retribution. No individual who makes a protected disclosure or participates in an investigation concerning allegations of improper governmental activity or the existence of a condition that may significantly threaten the health or safety of employees or the public shall for that reason be subjected to any reprisal, retaliation, threat, coercion or similar improper act. Any member of the campus community who intentionally engages in such retaliatory conduct will be subject to personnel action in addition to any penalty or civil liability provided by law.

Office of the Chancellor Executive Order No. 822 provides procedures pursuant to which employees or applicants for employment may file complaints of retaliation. The Executive Order further provides definitions applicable to the complaint procedure. CSUSM refers persons wishing to make complaints of retaliation to Executive Order No. 822, which may be found at <http://www.calstate.edu/EO/EO-822.pdf>, as may be modified from time to time. A copy of Executive Order No. 822 is attached to this policy.

Employees or applicants for employment who believe that they have suffered reprisal, retaliation, threats, coercion or similar acts for having made a protected disclosure may file a written retaliation complaint with their supervisor or manager or directly with the Vice Chancellor of Human Resources, at the Office of the Chancellor, California State University pursuant to Office of the Chancellor Executive Order No. 822.

Written protected disclosure retaliation complaints received by CSUSM supervisors and managers shall be forwarded for processing to the Assistant Vice President, Human Resources and Legal Compliance.

A complaint of retaliation filed with the supervisor or manager must include all of the information required by section IV.C.2-6 of Executive Order No.822. CSUSM has created a complaint form for persons wishing to file such complaint. Persons wishing to file a complaint with the Vice Chancellor of Human Resources must use the form attached to Executive Order No. 822.

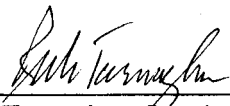
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The complaint alleging retaliation must be signed by the complainant and contain a sworn statement that the contents of the written complaint are true or believed by the complainant to be true, under penalty of perjury.

Authority The California Whistleblower Protection Act (Gov. Code sec. 8547 et. seq., specifically sec. 8547.12 (a)); Executive Order No. 822.

Scope This policy and any related procedures apply to all current and future employees or applicants for employment at Cal State San Marcos.



Roy McTarnaghan, Interim President

11/17/03
Approval Date

Implemented initially: 3/1/2004