

**CAMDEN COUNTY PARTNERSHIP FOR CHILDREN
MISCONDUCT/BREACH/IMPROPER ACTIVITY POLICY
Effective January 1, 2019**

I. Scope

This policy provides for the protection of Camden County Partnership for Children (herein referred to as “the Agency”) employees who report improper or illegal activities engaged in by officials or employees of the Agency or by others doing business with or for the Agency consistent with the NJ Conscientious Employee Protection Act N.J.S.A. 34: 19-4.

II. Purpose

The purpose of the Misconduct/Breach/Improper Activity Policy is to define activity and to delineate steps that shall be taken by the Agency.

III. Reporter Protection

In accordance with New Jersey’s Conscientious Employee Protection Act (N.J.S.A. 34.19-1 et seq., also known as the “Whistleblower Act”), Camden County Partnership for Children shall take no retaliatory action against an employee because the employee does any of the following:

- A. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the Agency or an employee of the Agency, or another employer, with whom there is a business relationship, that the employee reasonably believes:
 - 1. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to any youth or family served by the Agency (herein referred to as “Client”), Provider, employee, former employee, retiree or pensioner of the employer or any governmental entity, or,
 - 2. is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any client, Provider, employee, former employee, retiree or pensioner of the employer or any governmental entity;
- B. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation promulgated pursuant to law by the employer, or another employer, with whom there is a business relationship, including any violation involving deception of, or misrepresentation to any client, Provider, employee, former employee, retiree or pensioner of the employer or any governmental entity;

- C. Objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes:
1. is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any client, patient, Provider, employee, former employee, retiree or pensioner of the employer or any governmental entity, or,
 2. is fraudulent or criminal, including any activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any client, Provider, employee, former employee, retiree or pensioner of the employer or any governmental entity; or
 3. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

IV. Written Notice Required Under Certain Circumstances

The protection against retaliatory action shall not apply to an employee who makes a disclosure to the Agency's Board of Trustees or any other public body unless the employee has first brought the matter to the attention of a supervisor of the employee or a designated Agency official or agent by written notice and has afforded the Agency a reasonable opportunity to correct the matter. In an emergency situation, this requirement of written notice to a supervisor or designated Agency official or agent shall be waived when the employee is reasonably certain that the matter is known to one or more supervisors at the Agency or when the employee reasonably fears physical harm as a result of the disclosure.

V. Distribution and Posting of Notices

Camden County Partnership for Children shall conspicuously display notices of its employees' protections, obligations, rights and procedures under this act, shall annually distribute written or electronic notices to all employees, and shall use other appropriate means to keep its employees informed of protection afforded under New Jersey to those who report a situation of misconduct, breach or improper activity. The notice shall include the name of the person or persons the Agency has designated to receive written notifications pursuant to section IV of this policy.

Exhibit A – Annual Notice

Conscientious Employee Protection Act N.J.S.A. 34:19-4

Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
 - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
 - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
 - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
 - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 - (2) is fraudulent or criminal; or
 - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or

practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

CONTACT INFORMATION

The following contact persons at Camden County Partnership for Children have been designated to answer your questions or provide information regarding your rights and responsibilities under N.J.S.A. 34:19-4:

- * Name: Deborah Cucinotti
Address: 221 Laurel Road, Suite 300, Voorhees, NJ 08043
Telephone Number: (856) 482-6222, extension 119