

3364-15-04 Non-retaliation policy.**(A) Policy statement**

The university of Toledo (“UToledo”) encourages reporting in good faith any activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to public health and safety without fear of retaliation.

(B) Purpose of policy

UToledo, in compliance with federal and state law (section 4113.52 of the Revised Code), protects individuals from interference when making protected disclosures, and for refusing to take part in any activity that is illegal or in violation of any UToledo policies.

(C) Scope

All UToledo campuses.

(D) Definitions

- (1) “Wrongful conduct”:** A serious violation of UToledo policy; a violation of applicable state and federal laws; or the use of UToledo property, resources or authority for personal gain or other non-university-related purpose except as provided under UToledo policy.
- (2) “Protected disclosure”:** Communications about actual or suspected wrongful conduct engaged in by a university employee, student, volunteer, agent or contractor (who is not the disclosing individual) based on a good faith and a reasonable belief that the conduct has both occurred and is wrongful under applicable law and/or university policy.
- (3) “Retaliation”:** Disciplinary or adverse action taken against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding, or hearing involving a protected disclosure.

- (4) “Acting in good faith”: Anyone filing a complaint concerning a violation or suspected violation of this policy must have reasonable grounds for believing the information disclosed indicates a violation of the policy.

(E) Protection of reporter:

- (1) Individuals who, in good faith, report suspected wrongful conduct to appropriate UToledo officials are protected from retaliation so that prompt, corrective action can be taken by UToledo.
- (2) Individuals are protected from disciplinary action or other retaliation as a result of disclosing wrongful conduct. Individuals who self-report their own misconduct are not afforded protection by this policy.
- (3) Protects UToledo when taking action against individuals who make bad faith disclosures.

This policy will not provide protection for any communication that proves to have been both unsubstantiated and made with malice or with knowledge of its falsity and will not interfere with legitimate employment decisions.

(F) Procedure

Follow rule 3364-15-03 of the Administrative Code (compliance incident reporting), to report wrongful conduct, including violations of this policy.

Actions determined to be retaliation or bad faith reporting can result in disciplinary actions up to and including termination.

Effective: 4/2/2020

CERTIFIED ELECTRONICALLY

Certification

03/23/2020

Date

Promulgated Under:	111.15
Statutory Authority:	3364
Rule Amplifies:	3364