

WHISTLEBLOWER POLICY

NEW JERSEY CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA)

An employee who witnesses a violation of laws or regulations on the job has a right to report that violation to government entities or supervisors in New Jersey. The Conscientious Employee Protection Act (CEPA) is a state law that protects whistleblowers from retaliation for bringing unlawful actions to light. A worker who suffers retaliation is entitled to relief, including unlimited back pay, front pay, pain and suffering damages, punitive damages, and attorneys' fees and costs.

A state-provided notice summarizing NJ CEPA is reproduced below for reference. The law itself can be found here (sections [Section 34:19-1](https://law.justia.com/codes/new-jersey/2016/title-34/)): <https://law.justia.com/codes/new-jersey/2016/title-34/>

ADDITIONAL PROTECTIONS

This Tabby's Place Whistleblower policy extends the same protections regarding disclosure of any serious violation of Tabby's Place policies, which would not otherwise fall under the CEPA.

Serious violations include, but are not limited to, anything that creates a danger to the cats or humans at Tabby's Place, destruction of Tabby's Place property, a breach of confidentiality, medication misuse or abuse, or damages Tabby's Place reputation.

NO RETALIATION

Tabby's Place will extend the same protections against retaliation as provided by the NJ CEPA.

DISCLOSURE

In order to be protected, an employee must give written notice to their supervisor concerning the practice reasonably believed to be a serious violation. Employees must also afford Tabby's Place a reasonable opportunity to correct the activity, policy, or practice before disclosing information regarding the suspect practice to a public body. The written disclosure by an employee should also be provided to the Executive Director.

However, if a complaint is against the Executive Director, it should be addressed to the Board of Trustees.

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

ACTING IN GOOD FAITH

Anyone filing a written complaint concerning a suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated, and which prove to have been made maliciously or knowingly to be false, will be viewed as a serious disciplinary offense.

INVESTIGATION

Managers are required to report complaints or concerns about suspected violations in writing to the Tabby's Place Executive Director, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to the Executive Director.

The Executive Director is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved, including those related to a Board of Trustees member.

The Executive Director will advise the Board of Trustees of all complaints and their resolution.

However, if a complaint was against the Executive Director, it should be addressed to the Board of Trustees, who will investigate.

ACCOUNTING AND AUDITING MATTERS

The Executive Director shall immediately notify the Treasurer of any concerns or complaints regarding corporate accounting practices, internal controls or auditing, and work with the Treasurer until the matter is resolved.

Conscientious Employee Protection Act “Whistleblower Act”

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

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: COLONEL (RET.) JOHN E. LANGSTON, HR DIRECTOR

Address: HR-NJDMAVA, 101 Eggert Crossing Road, PO Box 340, Trenton, N

Telephone Number: (609) 530-6885

This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call (609) 292-7832.