

RESOLUTION NO. 284

ESTABLISHING AN ALBANY COUNTY WHISTLEBLOWER HOTLINE

Introduced: 6/11/07

By Ms. Barlette:

WHEREAS, In 1992 the Albany County Legislature unanimously adopted an Employee Protection Policy to ensure that County employees are not subjected to retaliatory personnel action for disclosing any hazardous working conditions or corruption in government, and

WHEREAS, In spite of the existence of such policy, certain County employees are apprehensive about coming forward especially if those involved are supervisors, department heads or elected officials, and

WHEREAS, This Honorable Body values input from County employees and residents and has openly encouraged information sharing to find ways to make Albany County a good working environment and a better place to live, and

WHEREAS, Local governments and school districts have begun engaging independent contractors to provide a secure, anonymous whistleblower reporting system to manage and receive employee and public complaints about safety violations, workplace abuses, fraud and other ethical issues, and

WHEREAS, The best way for County Officials to be informed and deal with safety issues, government fraud and waste while maintaining a sensitivity to confidentiality, is to establish an Albany County Whistleblower Hotline and engage an outside vendor to operate and manage the system, and report complaints to designated County Officials as well as the County Legislature, now therefore be it

RESOLVED, That the Albany County Purchasing Agent is directed to issue a Request for Proposals (RFP) for Whistleblower Hotline Services to implement and maintain a 24 hour, 7 days a week confidential reporting system for the County of Albany, and be it further

RESOLVED, That included in the scope of services is a requirement that copies of all complaint reports be issued to the County Executive, the Majority and Minority Offices of the County Legislature and the County Comptroller, and be it further

RESOLVED, That the Whistleblower Hotline contact information will be posted on the Home Page of the County's website, publicly advertised, posted in every County office, circulated to all employees and new hires, and be it further

RESOLVED, That the Clerk of the Legislature is hereby directed to forward certified copies of this resolution to the appropriate County Officials.

Mr. Collins proposed the following amendment:

Add a new 3rd and 4th Whereas clause as follows:

WHEREAS, The need to protect whistleblowers from retaliation is illustrated by a recent case in which Town of Colonie officials issued criminal subpoenas to learn the identity of the authors of anonymous emails alleging mismanagement and misconduct in the Town's Department of Emergency Medical Services, and

WHEREAS, The incident proved very costly for Town residents, who paid out \$246,000 plus attorney's fees to settle claims that Town officials violated the whistleblowers' rights to due process and freedom of speech, and

Amend the original 5th Whereas clause to read as follows:

WHEREAS, The best way for County, City, Town and Village Officials to be informed and deal with safety issues, government fraud and waste while maintaining a sensitivity to confidentiality, is to establish a County wide Whistleblower Hotline, now, therefore be it

Delete the original 1st Resolved clause and insert the following:

RESOLVED, That the County Executive is requested to work cooperatively with officials from the cities, towns and villages within the County to establish a County wide Whistleblower Hotline, to evaluate an outside vendor to operate the system and to establish procedures to report complaints to designated officials in each municipality, and, be it further

Amend the original 2nd Resolved clause to read as follows:

RESOLVED, That, once the County Wide Whistleblower Hotline is established, copies of all complaint reports pertaining to County government shall be issued to the County Executive, the Majority and Minority Offices of the County Legislature and the County Comptroller, and, be it further

On roll call vote on the amendment the following voted in favor: Messrs. Aidala, Aylward, Mss. Barlette, Benedict, Messrs. Beston, Burke, Carman, Clay, Clenahan, Clouse, Collins, Commisso, Ms. Connolly, Messrs. Cunningham, Dawson, Domalewicz, Ethier, Gordon, Hoblock, Horstmyer, Houghtaling, Infante, Joyce, Ms. Maffia-Tobler, Messrs. Mayo, McCoy, Ms. McKnight, Messrs. Monjeau, Morse, Nichols, Ms. Prentiss, Messrs. Reilly, Shafer, Steck, Tunny, Ward, Mss. Wiley and Willingham - 38.

Those opposed: - 0.

Amendment was adopted.

Resolution as amended was adopted by unanimous vote. 6/11/07