

Information

Duty to Report and Non Retaliation

Effective

April 22 2008

Number

ICO 1 01

Applicability

This policy applies to University Employees administrators faculty staff and student employees

Administrative Authority

Vice President for Risk Audit and Compliance

Responsible Unit

University Integrity and Compliance Office
215 Central Avenue, Suite 205, Louisville, KY 40208
Phone: 502.852.5709
Email: compliance@louisville.edu

History

This policy replaces and supersedes Institutional Compliance Office Policy ICO-001 entitled "Non-Retaliation/Non-Retribution."

Revision Date(s): September 26, 2011; December 18, 2013; August 26, 2014; May 20, 2015; April 25, 2016; December 20, 2017; January 25, 2019 (minor revisions); March 4, 2019 (minor revisions); April 8, 2021 (minor revisions); April 15, 2022 (minor formatting revisions); April 20, 2022 (minor revision); September 6, 2022 (minor revision)

Reviewed Date(s): May 20, 2015; April 25, 2016; December 20, 2017; January 25, 2019

Categories

Statement:

A. Knowledge of or suspicion of misconduct, violations of law, or other wrongdoing must be immediately reported to university management, the University Integrity and Compliance Office, other university compliance officials, or the University Compliance and Ethics Hotline.

B. No employee shall engage in retaliation, retribution, or any form of harassment against another employee for reporting a compliance concern, ethical matter, or other questionable practice.

C. Employees cannot exempt themselves from the consequences of wrongdoing by self-reporting, although self-reporting may be taken into account in determining the appropriate course of action.

Any employee who violates this policy will be subject to disciplinary action, up to and including termination.

Related Information:

- [KRS 61.102](#) - Reprisal against public employee for disclosure of violations of law prohibited
- [KRS 205.8465](#) - Mandatory reporting of violations, Confidentiality, and Prohibition against discrimination or retaliation
- False Claims Act, 31 U.S. Code § 3730(h) - Civil actions for false claims, relief from retaliatory actions, <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title31/pdf/USCODE-2011-title31-subtitleIII-chap37-subchapIII-sec3730.pdf>
- American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5) § 1553, Protecting State and Local Government and Contractor Whistleblowers, <http://www.gpo.gov/fdsys/pkg/PLAW-111publ5/pdf/PLAW-111publ5.pdf>
- [Fiscal Misconduct Policy ICO-1.03](#)
- [Reporting and Investigation Procedure ICO-1.01A](#)
- [Employee Whistleblower Protection Notice](#)

Reasoning:

The University of Louisville is responsible for the proper use of its resources and the public and private support that furthers the realization of its mission. The university is committed to conducting its affairs in full compliance with the law and with its own

policies and procedures. Such adherence strengthens and promotes ethical and fair practices and treatment of all members of the university community and those who conduct business with the university. All employees and any other individuals holding positions of fiduciary duty with the university are obligated to perform these duties in compliance with all applicable laws and university policies and procedures.

The purpose of this policy is to encourage and enable good-faith reports by university employees of observed or suspected misconduct or noncompliance with law or with university policies and procedures without fear of retaliation or retribution.

Definitions:

University Employee: Individuals who are administrators, faculty, staff, and/or student employees.