

Port Authority Whistleblower Protection Policy

Governance and Ethics Committee

March 19, 2015

Whistleblower Protection Policy

Port Authority Whistleblower Protection Policy – How it Works

- Prohibits Commissioner/officer/employee from taking or participating in an adverse personnel action against another officer/employee solely as result of, or retaliation for: (i) making truthful report about what reporting individual knows/has reason to believe is misconduct; (ii) objecting to/refusing to participate in misconduct; (iii) cooperating with investigation by public body
- Reporting of wrongdoing on a confidential or anonymous basis is facilitated by procedures of Office of Inspector General
- Confidentiality maintained to fullest extent possible consistent with need to conduct an adequate investigation
- A whistleblower who believes he/she is victim of prohibited adverse personnel action may report such action to the Inspector General for investigation – OIG acknowledges receipt of complaint within 15 days
- On completion of investigation, Inspector General reports findings, and when warranted, remedial action (generally determined by the Executive Director) is taken to restore whistleblower to former status – agency officer or employee who violates Policy is subject to discipline

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Proposed Port Authority Whistleblower Protection Policy – Features

- Formalization and Enhancement of Existing Agency Internal Procedures
- Expansion of the Scope of Whistleblower Protection
- Strengthening of Protections for Whistleblowers
 - Applies prohibition against taking or participating in prohibited adverse personnel action to Commissioners and Port Authority business partners
 - Eliminates (i) appearance of retaliation by officer/employee who is subject of misconduct report; (ii) consideration of whistleblower motive in determining whistleblower status; and (iii) ineligibility for whistleblower status based on procedural grounds

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Procedural Changes

- Specifies establishment and maintenance of Office of Inspector General (OIG) “hotline”
- At end of OIG investigation, reporting to Governance and Ethics (G&E) Committee (if Policy violation found, reporting also to Executive Director, unless ED is participant in Policy violation)
- G&E Committee will, as warranted, recommend action deemed necessary/appropriate to the Board
- OIG’s educational efforts re: Policy principles are to inform Commissioners as well as officers and staff

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Enhanced Reporting on Administration of Policy

- Inspector General will report and forward to the Executive Director and Governance and Ethics Committee on administration of the Policy on a quarterly basis
- Quarterly reports on Policy administration will include a summary of each complaint, as well as the number of complaints received and their disposition