

## Resources for Employee Reporting of Fraud, Waste, or Abuse in City Government

All employees of the City of New Orleans are strongly encouraged to report any potential violation of law, Code of Conduct violations, or improper activity. The City strictly prohibits any retaliatory actions against any employee for making a good-faith report of a potential violation of law or improper activity. Employees who suffer discipline or discriminatory treatment because of complaints of illegal activity may appeal such retaliatory actions to the Civil Service Commission. The City also strictly prohibits direct, indirect, or attempted use of any city official's authority, influence, title, or position for the purpose of interfering with the rights of another employee or constituent to disclose any improper activity or violation of law, CAO policy, or the Code of Conduct.

If an employee believes that he/she has been retaliated against for reporting any potential violation of law, Code of Conduct violations, or improper activity, the retaliation should be reported.

This document includes several resources for reporting fraud, waste, or abuse in City Government and avenues for relief for employees who suffer retaliation for such reports.

### **Chief Administrative Office Fraud, Waste, and Abuse Policy (CAO Policy #139)**

<https://www.nola.gov/chief-administrative-office/policies/policies/no-139-city-of-new-orleans-fraud-waste-and-abuse/>

The City of New Orleans is committed to being a good and responsible steward of all public funds. The City has zero tolerance for the commission or concealment of acts of fraud, waste, or abuse. Allegations of such acts shall be vigorously investigated and pursued to conclusion, including but not limited to, consultation and coordination with the Ethics Review Board, state, local and federal authorities, and or law enforcement where warranted. All City employees - classified and unclassified – have an affirmative duty to immediately report any known or good faith suspected violations of this policy.

**City Employee Complaint:** Any City employee who has knowledge of or a good faith belief that another City employee(s) or contractor(s) have committed or concealed any acts fraud, waste, or abuse, have an affirmative duty to immediately report such knowledge or belief, in accordance with the procedures outlined in CAO Policy 139. City employees shall immediately report such knowledge or good faith belief to their immediate supervisor. If the conduct directly or indirectly involves the supervisor or other department or City management personnel, the employee may report the conduct to the CAO or their authorized designee(s), the state or local Office of Inspector General, or other appropriate governmental or law enforcement entity. If the

employee(s) report to any appropriate non-City entity, the employee must also notify the CAO or their authorized designee(s) to allow the City to immediately take measures to stop or mitigate such conduct. Employees are not required to notify the CAO if they can demonstrate that such notification would be futile. The employee shall not make any attempt to investigate the suspected activity prior to reporting it. The CAO, in conjunction with the New Orleans Office of the Inspector General, and any other appropriate governmental or law enforcement entity shall coordinate all investigations of fraud, waste or abuse. Intentional destruction of any document or record of any kind that the employee knows or should have known may be relevant to a past, present, or future investigation of alleged fraud, waste or abuse may constitute a violation of this policy.

Retaliation against any City employee or non-City personnel for reporting known or good faith belief suspicion of instances of fraud, waste or abuse shall not be tolerated. The City reserves the right to seek all administrative and legal remedies available by law to protect reporting parties and penalize those who retaliate against them.

## **New Orleans Office of Inspector General** [Home - New Orleans Office of Inspector General \(nolaig.gov\)](http://nolaig.gov)

The Office of Inspector General (OIG) for the City of New Orleans encourages citizens, employees, contractors, and others to report waste, fraud, and abuse involving any individual, partnership, corporation, or organization involved in any financial capacity or official capacity with city government to the OIG (City Code, Sec. 2-1120).

**To submit a complaint to the OIG:** Complete a form using this link: [Report Waste or Fraud - New Orleans Office of Inspector General \(nolaig.gov\)](#) or call 504-681-3207.

## **Ethics Review Board** [City of New Orleans Ethics Review Board \(nolaerb.gov\)](http://nolaerb.gov)

The Ethics Review Board is authorized by the Code of Ordinances for City of New Orleans to administer and enforce the provisions of the Code of Ethics of the City. The Code of Ethics was established to remind each public official and employee that individually and collectively, public officials and employees must adhere to high ethical standards not simply to avoid sanctions or criticism. It applies to all officials of the government of the city, whether elected or appointed; all employees, whether classified or unclassified; and all members and employees of all boards, agencies, commissions, advisory committees, public trusts, and public benefit corporations of the City. Any person may file a complaint concerning violations of the Code of Ethics with the Ethics Review Board. **To file a complaint to the ERB send an email to:** [erb@nolaerb.gov](mailto:erb@nolaerb.gov).

Any public employee who reports information which the employee reasonably believes is a violation of any ordinance, statute, policy, order, rule, regulation, or other ethical mandate is protected from reprisal and disclosure of improper acts. *See* New Orleans Municipal Code, Division 3. Code of Ethics, Subdivision 3 § 2-772 (a)

The Board may consider any matter that it has reason to believe may be a violation of any law within its jurisdiction, including but not limited to, a notice or report sent to the Board by the Inspector General. The Board may close the file, refer the matter to investigation, or take such other action as it deems appropriate.

## **Louisiana Board of Ethics** [Louisiana Ethics Administration Program \(la.gov\)](http://la.gov)

The mission of the Ethics Administration Program is to administer and to enforce Louisiana's conflicts of interest legislation, campaign finance registration and reporting requirements and lobbyist registration and disclosure laws to achieve compliance by governmental officials, public employees, candidates, and lobbyists and to provide public access to disclosed information.

**Procedures for filing complaints with the LA Board of Ethics** can be found here: [Louisiana Board of Ethics \(la.gov\)](http://la.gov)

## **Chief Administrative Office Grievance Policy (CAO Policy #4R):**

[https://www.nola.gov/chief-administrative-office/policies/policies/no-4-\(r\)-employee-grievance-procedure/](https://www.nola.gov/chief-administrative-office/policies/policies/no-4-(r)-employee-grievance-procedure/)

This policy provides for and sets forth a clear, expeditious, efficient and equitable system of processing grievances for City of New Orleans employees. Moreover, this procedure provides a prompt and fair opportunity for employees to seek review of legitimate grievances without fear of reprisal, coercion unequal and unfair treatment. It also encourages managerial and supervisory personnel to eliminate or correct causes of legitimate grievances of employees. Matters under the jurisdiction of the Civil Service Commission shall not be addressed under this policy.

Under this policy a grievance is a formal employee complaint concerning a violation of departmental policy, working conditions, or alleged violations of City Policy, including alleged abuses of discretion by supervisors in the treatment of employees and disputes raised by an employee as to the interpretation, application, or enforcement of specific employee provisions or rights.

The steps employees should follow to file a formal grievance are found within this policy.

## **PROTECTION FROM RETALIATION**

### **Civil Service Whistleblower Appeal Rights**

No employee shall be subjected to discipline or discriminatory treatment by an appointing authority because he or she gives information, testimony, or evidence in a prudent manner to appropriate authorities concerning conduct prohibited by law or regulation which he or she reasonably believes to have been engaged in by any person(s). If the employee incurs such treatment despite this admonition, he or she may have a right of appeal before the Civil Service Commission regardless of their Civil Service status. **Employees must submit the form found here:** [Whistle-Blower-Appeal-Form](#) to the Civil Service

Department (1340 Poydras St. Suite 900, New Orleans, LA 70112) within 30 days of the discipline or alleged discriminatory treatment.

### **CAO Policy #139 Anti-Retaliation Provision**

<https://www.nola.gov/chief-administrative-office/policies/policies/no-139-city-of-new-orleans-fraud-waste-and-abuse/>

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#### **Other Relevant Polices:**

<https://www.nola.gov/chief-administrative-office/policies/policies/no-142-human-relations-internal-complaint-process/>

[https://www.nola.gov/chief-administrative-office/policies/policies/no-71-\(r\)-code-of-ethics/](https://www.nola.gov/chief-administrative-office/policies/policies/no-71-(r)-code-of-ethics/)

<https://www.nola.gov/chief-administrative-office/policies/policies/no-83-standards-of-behavior-for-city-employees/>