

HIDALGO COUNTY, TEXAS
ADMINISTRATIVE POLICY MANUAL

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Date Authorized: 04/06/2004
Supersedes: N/A

**COMMUNICATING TO COMMISSIONERS' COURT
INFORMATION ON FEDERAL INVESTIGATIONS AND/OR
INQUIRIES POLICY**

.01 Policy Statement

It is the policy of Hidalgo County to:

- Require reporting by its employees of improper governmental action taken by Hidalgo County officer or employees
- Protect Hidalgo County employees who have reported improper governmental actions in accordance with Hidalgo County's policies and procedures.

.02 Definitions

As used in this policy, the following terms shall have the meanings indicated:

Improper governmental action – means any action by an Hidalgo County elected official or employee that is: in violation of any federal, state, or local law or rule; is an abuse of authority; is of substantial and specific danger to the public health or safety; is a gross waste of public funds; or may result in liability to Hidalgo County.

- Improper governmental action does not include personnel actions, including employee grievances, complaints, appointments, promotions, transfers, assignments, reassignments, reinstatements, restorations, reemployments, performance evaluations, reduction in pay, dismissals, suspensions, demotions, violations of civil service rules, or reprimands.

Retaliatory action – means any adverse change in the terms and conditions of an Hidalgo County employee's employment.

Emergency – means a circumstance that if not immediately changed may cause damage to persons or property.

.03 Procedures for Reporting

Hidalgo County employees who become aware of improper governmental actions shall raise the issue first with their supervisor. If requested by the supervisor, the employee shall submit a written

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report to the supervisor, or to some person designated by the supervisor, stating in detail the basis for the employee's belief that an improper governmental action has occurred. Where the employee reasonably believes the improper governmental action involves his or her supervisor, the employee may raise the issue directly with the department head if applicable or the Commissioner Court's liaison to the department in which the employee or such other person as may be designated by the Commissioners Court to receive reports or improper governmental actions.

The department head, the Commissioners Court liaison to the department in which the employee is employed, or the person designated by Commissioners Court, as the case may be, shall take prompt action to assist Hidalgo County in properly investigating the report of improper governmental action. Hidalgo County elected officials and employees involved in the investigation shall keep the identity of reporting employees confidential to the extent possible under law, unless the employee authorizes the disclosure of his/her identity in writing. After an investigation has been completed, the employee reporting the improper governmental action shall be advised of a summary of the results of the investigation, except that personnel actions taken as a result of the investigation may be kept confidential.

Hidalgo County employees may report information about improper governmental action directly to the appropriate government agency with responsibility for investigating the improper action if the Hidalgo County employee reasonably believes that an adequate investigation was not undertaken by Hidalgo County to determine whether an improper governmental action occurred, or that insufficient action has been taken by Hidalgo County to address the improper governmental action or that for other reasons the improper governmental action is likely to recur

Hidalgo County employees who fail to make a good-faith attempt to follow Hidalgo County procedures in reporting improper governmental action shall not receive the protections provided Hidalgo County in these procedures.

.04 Protection Against Retaliatory Action

Hidalgo County officials and employees are prohibited from taking retaliatory action against an Hidalgo County employee because he/she has in good faith reported an improper governmental action in accordance with these policies and procedures.

Employees who believe that they have been retaliated against for reporting an improper governmental action shall advise their department head, the Commissioners Court liaison for the department in which the employee is employed, or the person designated by Commissioners Court. Hidalgo County shall investigate and address complaints of retaliation.

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.05 Responsibilities

The _____ is responsible for implementing Hidalgo County's policies and procedures for:

- Reporting improper governmental action;
- Protecting employees against retaliatory actions.

This includes ensuring that this policy and these procedures are:

- Permanently posted where all employees shall have reasonable access to them;
- Made available to any employee upon request; and
- Provided to all newly hired employees.

Department Heads and supervisors are responsible for ensuring the procedures are fully implemented within their areas of responsibility. Violations of this policy and these procedures may result in appropriate disciplinary action, up to and including termination of employment.