

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Adopting the Columbia)
County Fraud/Ethics/Compliance) Order No. 18 -2023
Hotline Policy)

WHEREAS, it is in the best interest of the County to implement a confidential method of reporting suspicious activity for County employees and officials;

NOW, THEREFORE, IT IS HEREBY ORDERED, that the Columbia County Fraud/Ethics/Compliance Hotline Policy, which is attached hereto, and is incorporated herein by this reference, is adopted. The Columbia County Human Resources Director shall adopt a procedure for implementing the Policy, which shall be made available to all County employees and officials.

Dated this 17 day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: 
Casey Garrett, Chair

By: 
Kellie Jo Smith, Commissioner

By: Not Present
Margaret Magruder, Commissioner

Approved as to form

By: 
Office of County Counsel

Columbia County Fraud/Ethics/Compliance Hotline Policy

Purpose and Objectives

The Board of County Commissioners, elected officials, and management of Columbia County are committed to the highest standards of legal and ethical behavior. The Columbia County Fraud/Ethics/Compliance Hotline has been established to provide employees with a confidential method of reporting suspicious activity, which is a significant step in deterring and detecting fraud and other wrongdoing.

Responsibilities

Managers and administrators at all levels are responsible for maintaining a system of internal controls which prevent, detect, or deter fraudulent, dishonest, unethical or prohibited conduct. Each member of the management team is expected to recognize risks and exposures inherent within his or her area of responsibility and to be alert for any indication of irregularity.

Employees who know or suspect that other employees, business partners or vendors are engaged in misconduct have a responsibility to report such activity to their supervisor, department head, elected official or the Columbia County Fraud/Ethics/Compliance Hotline. Employees who, in good faith, report suspected misconduct will be protected from reprisal or retaliatory actions.

Hotline Operations

The Columbia County Fraud/Ethics/Compliance Hotline is designed to create a reporting system that fosters trust, independence and confidentiality. All individuals participating in Hotline investigations, including Hotline Administrators, Investigators, Hotline Oversight members and County management are expected to adhere to the following standards:

- Hotline investigations should be conducted, and the information derived, should be treated in a confidential manner to the fullest extent possible.

- All parties must remain objective and un-biased.
- The investigation should be performed in a timely, cost-efficient manner and all documentation should contribute to the objective of the investigation.
- Investigators should have the skills necessary to perform the investigation.

Oversight, management and investigation of complaints or incidents received through the Columbia County Fraud/Ethics/Compliance Hotline will be provided by the following individuals and groups:

Hotline Administrator

The Hotline Administrators are the Human Resources Director and County Counsel or their designee. The Hotline Administrators are in charge of the daily operations of the Hotline. The Hotline Administrators are responsible for the following:

- Incident receipt
- Preliminary screening of the incident to determine whether it is actionable
- Determination of type of investigation to conduct
- Investigation assignment
- Dissemination of the incident to Investigator and Hotline Oversight members
- Monitor the investigation
- Assign tasks to investigators
- Receive investigative reports
- Formulate opinion
- Present opinion to applicable Department Director or Elected Official, Risk Management Committee and/ or Hotline Oversight as required
- Present quarterly and annual reports to Risk Management Committee and the Board of County Commissioners.
- Publicize Hotline to employees
- Lighthouse liaison

Hotline Oversight

Oversight of the Hotline will be the responsibility of the Finance Director, County Counsel and the Human Resources Director. Oversight will include:

- Adopt Procedures related to the receipt and investigation of complaints received
- Determine actions on unsubstantiated or insufficient information complaints (simple majority vote of those present)

- Approve quarterly and annual reports (simple majority vote of those present)
- With Hotline Administrators, present reports to the Board of County Commissioners and the Risk Management Committee
- Publicize Hotline to employees
- Landing page design and changes

Hotline Investigators

Hotline Investigators are those persons who have been delegated with the responsibility for investigating and preparing reports on hotline incidents, as assigned by the Hotline Administrators. Only Investigators who have sufficient experience and expertise in conducting investigations into the incident in question shall be assigned. Hotline Investigators may be department heads or supervisors, a member of the Human Resources Department or an outside assigned investigator. Individual departments or the Hotline Administrator may request the use of outside investigators if circumstances warrant for any reason. Hotline Investigators will typically perform the following tasks:

- Receive incidents and instructions from Hotline Administrators
- Investigate incident
- Update Hotline Administrators on progress
- Prepare investigative report and recommendation

Elected Officials and Department Directors

Elected Officials and Department Directors will be informed and involved in the investigation of Hotline incidents involving their departments as appropriate. Elected Officials and Department Directors, or their designees, will work with the Hotline Administrators to formulate the investigative strategy, and will assure cooperation in obtaining all information and investigative material requested by the Hotline Administrators or Hotline Investigator. Elected Officials and Department Directors will work with Human Resources and/or County Counsel to determine further course of action on substantiated incidents.

Advocate

The Advocate will be appointed by the Board of County Commissioners and will act as Hotline Administrator in the event that the Human Resources Director or County Counsel are all named in a Hotline incident. The Advocate must be completely independent of Columbia County.

Independence and Conflicts

No employee who acts as a Hotline Administrator, Hotline Investigator, Hotline Oversight, or who has access to Lighthouse, will be allowed to be involved in any investigation in which they are implicated.

In addition to the standard notification setup, in the event that a Department Director is named in an incident, County Counsel and Chair of the Board of County Commissioners will be notified.

Policy Scope

This policy sets forth the investigation process that the County will use to investigate complaints filed through the Columbia County Fraud/Ethics/Compliance Hotline. This investigation process will not be used for other types of complaints.

Ethics complaints relating to violations of Standards and Practices issues should be directed to the State of Oregon. If any employee files a report of an incident outside the scope of the Hotline, they will be notified that the incident will neither be investigated nor forwarded for investigation to any other department.

Anonymity

Employees reporting via the Hotline may choose to identify themselves or remain anonymous. The identity of any employee reporting any incident will be used for investigative purposes only and will generally not be disclosed outside of the process described above, except as may be required by law. No one involved in the investigation process will make any attempt to affirmatively identify any anonymous reporter except as may happen during the normal course of a standard investigation if that person is identified separately.

It is illegal to retaliate against an employee for reporting misconduct or testifying in court or before a legislative assembly about misconduct. If an employee believes they have been retaliated against as a “whistleblower” they should submit their complaint to the Human Resources Director. The County’s

Whistle Blower Policy, incorporated into the Personnel Rules, Section 16.6 describes the protections under ORS 659A.200 and 659A.203 for making a report in good faith.

Confidentiality

Strict confidentiality shall be maintained over Hotline documents at all times. Hotline cases should not be discussed with anyone outside of the investigative team or the Hotline Oversight. All Lighthouse documents should remain on the Lighthouse server and should not be emailed, printed or downloaded except as needed or appropriate for the investigation or as required by law or court.

Hotline cases should not be investigated or discussed via County email. Any discussion should occur on the Lighthouse server. When evidence is sent via interoffice courier it will be sealed in a separate envelope bearing a "confidential" stamp.

Hotline submissions fall under the confidentiality exemption of ORS 192.502(4). The elements of the exemption are:

- Information submitted on condition that it would be kept confidential;
- The information was not required by law;
- The information must be of a nature that reasonably should be confidential;
- The public body must show that it has obliged itself in good faith not to disclose the information;
- Disclosure of the information must cause harm to the public interest; and
- All documents are therefore exempt from disclosure under the public records laws.

Under no circumstances should departments or agencies provide information to any outside parties directly unless seeking the services of an outside investigator, or submitting the issue as a criminal report to a law enforcement agency or other report to another agency which is charged with investigating that particular type of complaint. If a request for information is made, it should be made using the County's Public Records Request process.

Reporting

On a quarterly and annual basis, the Hotline Administrators will prepare a Columbia County Hotline Report. Once approved by the Hotline Oversight, the report will be presented to the Board of County

Commissioners for review. This report is intended to be an overall summary of the number and nature of complaints received and not to reveal details of the confidential complaints.

Other Interested Parties

Hotline incident reports, investigative notes, reports and recommendations may be of use to law enforcement or external auditors. Decisions to make those files and reports available, on a case-by-case basis, will be made by the Hotline Administrators and/or Oversight.

Related Documents

Personnel Rules – Section 17.4 Columbia County Ethics Policy

Personnel Rules – Section 16 County Whistleblower Policy

Whistleblower Disclosures ORS 659A.200 to 659A.224

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