



Reporting Improper or Unlawful Conduct

Administrative Regulation | Reporting & Protections | #2.02

Effective Date	May 30, 2017
Revised Date	July 10, 2025
Supersedes	January 30, 2025

Note: Terms that are ***bolded and italicized*** the first time they appear in this regulation are defined below. After the first occurrence, defined terms appear in *italics only*.

Purpose

This administrative regulation encourages individuals to report, in good faith, suspected or actual instances of illegal, unethical, or inappropriate conduct without fear of ***retaliation***. It supports the LiveWell pillars of Emotional, Occupational, and Community Well-Being by promoting ***psychological safety***, transparency, and ethical accountability across the organization.

Scope

Applies generally to all City of Springfield employees, volunteers, interns, contracted employees, or other ***City officials***, hereby stated as employees. This regulation covers any location, platform, or environment where City work is performed—including remote, field, and digital workspaces.

Policy

Employees may report concerns about the City's compliance with any law, regulation or policy, using one of the methods identified in this policy. The City is committed to cultivating an environment of trust, integrity, and shared responsibility. To protect psychological and emotional safety, the City strictly prohibits ***retaliation*** against employees who report concerns in good faith. Examples of reportable concerns include evidence of:

- A violation of any federal, Oregon, or local law, rules, or regulations by the City.
- Mismanagement, gross ***waste*** of funds, or ***abuse*** of authority.
- A substantial and specific danger to public health or safety resulting from City actions.
- Knowledge that a recipient of government services is subject to a felony or misdemeanor arrest warrant.
- Any violation of law, regulation, or standard pertaining to safety or health when the violation comes to the knowledge of the employee.

Employees are encouraged to speak up not only to report violations, but to help safeguard the ethical and community-centered values that define our public service culture.

Further, in accordance with Oregon law, the City will not prohibit an employee from discussing the activities of a public body or a person authorized to act on behalf of a public body with a member of the Legislative Assembly, legislative committee staff acting under the direction of a member of the Legislative Assembly, any member of the elected governing body of a political subdivision, or an elected auditor of a city, county or metropolitan service district.

Retaliation against employees who raise concerns under this policy is strictly prohibited. Any reports of *retaliation* will be taken seriously and addressed in alignment with City policies.

Procedure

1. Reporting Improper or Unlawful Conduct

A. Employee Reporting Option

- a. Employees who become aware of improper or unlawful conduct or experience *retaliation* should promptly report their concerns.
- b. Reports should be made to the employee's immediate supervisor. If the employee is uncomfortable reporting to their supervisor or is unsatisfied with the response, they should escalate the report to their department director.

B. Supervisors and Management Responsibilities

- a. Supervisors, managers and department directors must immediately report any allegation of improper or unlawful conduct to the City Manager.
- b. Supervisors and managers must ensure employees feel safe reporting concerns and must not engage in or permit *retaliation*.

C. Confidentiality

- a. Reports will be handled confidentially, to the extent permitted by law, with consideration for employee emotional safety, legal obligations, and procedural fairness.

D. State Complaint Process

- a. If an employee believes they have been prohibited from reporting or retaliated against, they may file a complaint with the [Oregon Bureau of Labor and Industries \(BOLI\)](#) or take legal action in court to seek remedies available under Oregon law.

2. Protections for Employees Who Report

A. Affirmative Defense for Reporting

- a. Under Oregon law, employees who report in good faith and with an objectively reasonable belief that the City has violated the law may be protected from civil or criminal liability.
- b. This defense applies when the report is related to action taken by a coworker or supervisor

within their job duties and is reported to:

- (1) A state or federal regulatory agency.
- (2) A law enforcement agency.
- (3) A manager with the City.
- (4) An Oregon-licensed attorney representing the employee.

B. Lawful Access to Information

- a. This defense applies only when the information was lawfully accessed by the reporting employee. Employees must not obtain or disclose information in violation of laws or City policies.

3. Protection Against Retaliation

A. Non-Retaliation Policy

- a. The City strictly prohibits *retaliation* against employees who report concerns in good faith or who participate in related investigations. *Retaliation* undermines emotional trust, *psychological safety*, and the City's values-driven culture.

B. Protection for Participation in Investigations

- a. Employees who participate in an investigation or legal proceedings related to a report under this policy are also protected from *retaliation*.
- b. No City employee will face adverse consequences for refusing to carry out directives that would constitute *fraud* or a violation of laws or City regulations.

C. Consequences for Retaliation

- a. Any employee who engages in *retaliation* may face disciplinary action, up to and including termination.
- b. Supervisors and managers are accountable for preventing and addressing retaliatory behavior in their teams.

D. False or Reckless Reports

- a. This policy does not protect employees from disciplinary action if:
- b. They misuse the reporting process to shield themselves from consequences of their own misconduct or poor performance.
- c. They knowingly make false reports or disclose information with reckless disregard for truth.

Definitions

Term:	Definition
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Abuse: The intentional or improper use of Government resources. Examples include misuse of rank, position, or authority or misuse of resources such as tools, vehicles, or equipment.

City Official: Any elected official, employee, intern, appointee of a board or commission or volunteer authorized to act on behalf of the City of Springfield.

Fraud: A false representation about a material fact. It is any intentional deception designed to deprive the City of Springfield of something of value or to secure from the City of Springfield for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled.

Psychological Safety: A shared belief that employees can speak up, ask questions, raise concerns, or report misconduct without fear of retaliation, humiliation, or adverse consequences.

Retaliation: Conduct that would likely deter an individual from reporting, participating in, or supporting a concern or investigation. *Retaliation* includes exclusion, intimidation, or punitive work assignments and is a violation of trust and employee well-being.

Waste: The extravagant, careless or needless expenditure of Government funds, or the consumption of Government property, that results from deficient practices, systems, controls or decisions. The term also includes improper practices not involving prosecutable fraud.

Related Resources

Administrative Regulations:

- [Open Door Policy](#)
- [Respectful Place to Work](#)

Legal Resources:

- [Whistleblower Protections, \(BOLI\) Uniform Standards and Procedures Manual](#)