



**9.4. Protections Against Retaliatory Actions.** District officials and employees are prohibited from taking retaliatory action against a District employee because he or she has in good faith reported an improper action in accordance with these policies and procedures.

**9.4.1.** Retaliatory action means any adverse change in the terms and conditions of a District's employee's employment.

**9.4.2.** Employees who believe that they have been retaliated against for reporting an improper action should advise the District General Manager, or designee. The District General Manager, or designee will endeavor to take appropriate action to investigate and address complaints of retaliation.

**9.4.3.** If the District General Manager, or designee does not satisfactorily resolve a District employee's complaint that he or she has been retaliated against in violation of this policy, the employee may obtain protection under this policy and pursuant to state law by providing a written notice within 30 days after the occurrence of the alleged retaliatory action to the District Board of Commissioners that:

**(a).** specifies the alleged retaliatory action and

**(b).** specifies the relief requested

**9.4.4.** District employees are required to provide a copy of their written notice to the District General Manager, or designee. The District will endeavor to respond within 30 days to the charge of retaliatory action.

**9.4.5.** After receiving either the response of the District or 30 days after the delivery of the charge to the District, the District employee may request a hearing before a state administrative law judge to establish that a retaliatory action occurred and to obtain appropriate relief provided by law. An employee seeking a hearing shall deliver the request for hearing to the District General Manager, or designee within the earlier of either 15 days of delivery of the District's response to the charge of retaliatory action, or 45 days of delivery of the charge of retaliation to the District for response.

**9.4.6.** Upon receipt of request for hearing, the District may apply, within five working days, to the State Office of Administrative Hearings for an adjudicative proceeding before an administrative law judge.

**9.4.7.** The District will consider any recommendations provided by the administrative law judge that the retaliator be suspended with or without pay, or dismissed.