



11.03 DUTY TO REPORT UNLAWFUL OR IMPROPER ACTIONS

General

All City employees are expected to report observed unlawful or improper actions by a city official. Employees are expected to disclose waste, fraud, abuse, and corruption by a city official. For purposes of this rule the term "city official" means any elected official, employee, appointee of a board or commission or citizen volunteer authorized to act on behalf of the City of Portland. Employees who are unsure whether to report an action are expected to bring the issue to the attention of their supervisor or to the Bureau of Human Resources or to the Office of the Ombudsman or to the Auditor's Fraud Alert Line. The City will not tolerate any retaliation against an employee for filing a complaint or report under this rule or for cooperating in an internal or external government investigation. Retaliation is prohibited even if the underlying complaint or report is not substantiated.

All information received in connection with this rule is treated as highly sensitive. To the extent possible, confidentiality will be maintained, however, absolute confidentiality can not be guaranteed.

See [Code of Ethics](#).

Whistleblowing

When employees have a good faith and reasonable belief that the City has violated any federal state or local law or regulation; has engaged in mismanagement, gross waste of funds or abuse of authority; or created a substantial and specific danger to public health and safety by its action, and employees disclose such information, it is an unlawful employment practice for the City to:

1. Discharge, demote, transfer, reassign or take disciplinary action against employees or threaten to take such action because of such disclosures;
2. Withhold work or suspend employees because of such disclosures;
3. Discriminate or retaliate against employees regarding promotion, compensation or other terms, conditions or privileges of employment because of such disclosures;
4. Direct employees not to make such disclosures, discourage employees from making such disclosures or require employees to notify the City before making such disclosures;
5. Prohibit employees from discussing, either specifically or generally, the activities of the City or any person authorized to act on the City's behalf, with:

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- a. Any City of Portland Elected Official;
 - b. Any member of the Legislative Assembly;
 - c. Any Legislative Committee staff acting under the direction of any member of the Legislative Assembly; or
 - d. Any member of the elected governing body of a political subdivision in the state or any elected auditor of a city, county or metropolitan service district.

This policy does not authorize employees to disclose exempt public records or other information required or permitted to be confidential under the law.

**Administrative Rule
History**

Adopted by Chief Administrative Officer October 8, 2002
Effective October 15, 2002
Revised September 16, 2005
Revised April 17, 2009
Revised November 4, 2011
Revised December 29, 2016
Revised February 15, 2018
