

**MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2347

**AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE
AMENDING THE CODE OF THE MUNICIPALITY OF
MONROEVILLE, CHAPTER A366, SECTION 6.16**

BE IT ORDAINED AND ENACTED, by the Municipality of Monroeville in Council assembled as follows:

SECTION 1. The Municipality of Monroeville hereby adopts an amendment attached Exhibit "A" to the Municipality of Monroeville Employee Handbook as follows:

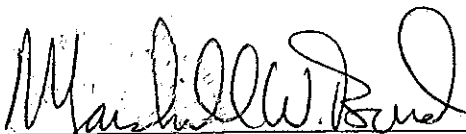
SECTION 6.16 Fraud Policy

SECTION 2. Any Ordinance in conflict with said ordinance shall be repealed to the extent of such conflict.

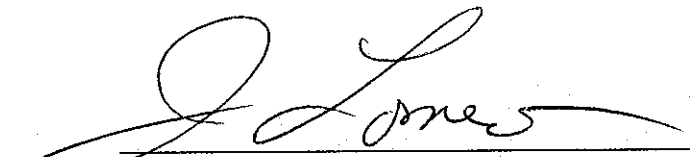
ORDAINED AND ENACTED this 13th day of September, 2005.

ATTEST:

MUNICIPALITY OF MONROEVILLE



Marshall W. Bond
Municipal Manager



James J. Lomeo
Mayor

ENTERED INTO LEGAL BOOK: September 23, 2005

POLICY ON SUSPECTED MISCONDUCT AND DISHONESTY

Introduction

Like all organizations, the Municipality of Monroeville is faced with the risks that come from wrongdoing, misconduct, dishonesty and fraud. As with all business exposures, we must be prepared to manage these risks and their potential impact in a professional manner.

The impact of misconduct and dishonesty may include:

- the actual financial loss incurred
- damage to the reputation of the Municipality and our employees
- negative publicity
- the cost of investigation
- loss of employees
- damaged relationships with our contractors and suppliers
- litigation
- damaged employee morale

Municipal Management's goal is to establish and maintain a business environment of fairness, ethics and honesty for our employees, our suppliers and anyone else with whom we have a relationship. To maintain such an environment requires the active assistance of every employee and Department Head every day.

The Municipality of Monroeville is committed to the deterrence, detection and correction of misconduct and dishonesty. The discovery, reporting and documentation of such acts provides a sound foundation for the protection of innocent parties, the taking of disciplinary action against offenders up to and including dismissal where appropriate, the referral to law enforcement agencies when warranted by the facts, and the recovery of assets.

Purpose

The purpose of this document is to communicate Municipal policy regarding the deterrence and investigation of suspected misconduct and dishonesty by employees and others, and to provide specific instructions regarding appropriate action in case of suspected violations.

Definition of Misconduct and Dishonesty

For purposes of this policy, misconduct and dishonesty includes but is not limited to:

- acts which violate the Municipality's any Ordinance involving misconduct

- theft or other misappropriation of assets, including assets of the Municipality, suppliers or others with whom we have a business relationship
- misstatements and other irregularities in Municipal records, including the intentional misstatement of the results of operations
- wrongdoing
- forgery or other alteration of documents
- fraud and other unlawful acts
- any similar acts.

The Municipal specifically prohibits these and any other illegal activities in the actions of its employees, Department Heads, Elected Officials and others responsible for carrying out the organization's activities.

Policy and Responsibilities

Reporting

It is the responsibility of every employee, supervisor, Department Head and Elected Official to immediately report **suspected** misconduct or dishonesty to the Municipal Manager. Department Heads, when made aware of such potential acts by subordinates, must immediately report such acts to the Municipal Manager. Any reprisal against any employee or other reporting individual because that individual, in good faith, reported a violation is strictly forbidden.

Due to the important yet sensitive nature of the suspected violations, effective professional follow up is critical. Department Heads, while appropriately concerned about "getting to the bottom" of such issues, should not in any circumstances perform any investigative or other follow up steps on their own. **Concerned but uninformed Department Heads represent one of the greatest threats to proper incident handling.** All relevant matters, including suspected but unproved matters, should be referred immediately to those with follow up responsibility.

To facilitate reporting of suspected violations, especially in those situations where the reporting individual wishes to remain anonymous, the Municipality has established a telephone hotline. This Telephone Line number is 412-856-3361.

Additional Responsibilities of Department Heads

Employees with supervisory and review responsibilities at any level have additional deterrence and detection duties. If you have supervisory or review responsibility then in addition to reporting suspected violations as is required above, you have three additional responsibilities.

First, you must become aware of what can go wrong in your area of responsibility.

Second, you must put into place and maintain monitoring, review and control procedures which will prevent acts of wrongdoing.

Third, you must put into place and maintain monitoring, review and control procedures which will detect acts of wrongdoing promptly should prevention efforts fail.

Authority to carry out these three additional responsibilities is often delegated to subordinates. However, accountability for their effectiveness cannot be delegated and will remain with Department Heads.

Assistance in effectively carrying out these responsibilities is available through the Municipal Finance Department.

Responsibility and Authority for Follow Up and Investigation

The Supervisor of the Criminal Investigation Division of the Monroeville Police Department has the primary responsibility for all investigations involving the Municipality. The Supervisor of the Criminal Investigation Division may request the assistance of the Municipal Manager's Office or Finance Department in any investigation, including access to auditing periodic examinations and evaluations of internal controls.

Properly designated members of the investigative team will have:

- free and unrestricted access to all Municipal records.
- the authority to examine, copy and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic or other form) without the prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of investigative or related follow up procedures.

All investigations of alleged wrongdoing will be conducted in accordance with applicable laws and Municipal procedures.

Reported Incident Follow Up Procedure

Care must be taken in the follow up of suspected misconduct and dishonesty to avoid acting on incorrect or unsupported accusations, to avoid alerting suspected individuals that follow up and investigation is underway, and to avoid making statements which could adversely affect the Municipality, an employee, or other parties.

Accordingly, the general procedures for follow up and investigation of reported incidents are as follows:

1. Employees and others must immediately report all factual details as indicated above under Policy.
2. The Supervisor of the Criminal Investigations Division has the responsibility for follow up and, if appropriate, investigation of all reported incidents.
3. All records related to the reported incident will be retained wherever they reside.
4. Do not communicate with the suspected individuals about the matter under investigation.
5. In appropriate circumstances and at the appropriate time, the Supervisor of the Criminal Investigations Division will notify the Municipal Manager.
6. The Supervisor of the Criminal Investigations Division will also notify the Financial Policy Committee of all reported incidents so that it may be determined whether this matter should be brought to the attention of any additional party i.e. Ethics Commission, District Attorney, Municipal Auditors, etc.
7. The Supervisor of the Criminal Investigations Division may also obtain the advice of Legal at any time throughout the course of an investigation or other follow up activity on any matter related to the report, investigation steps, proposed disciplinary action or any anticipated litigation.
8. Neither the existence nor the results of investigations or other follow up activity will be disclosed or discussed with anyone other than those persons who have a legitimate need to know in order to perform their duties and responsibilities effectively,
9. All inquiries from an attorney or any other contacts from outside of the Municipal, including those from law enforcement agencies or from the employee under investigation, should be referred to the Municipal Manager.

Investigative or other follow up activity will be carried out without regard to the suspected individual's, position or level, or relationship with the Municipality.

Questions or Clarifications Related to This Policy

All questions or other clarifications of this policy and its related responsibilities should be addressed to the Municipal Solicitor, who shall be responsible for the administration, revision, interpretation, and application of this policy.

Approval

Marshall W. Bond

Marshall W. Bond

Municipal Manager

Date 9/14/05



Acknowledgment

My signature signifies that I have read this policy and that I understand my responsibilities related to the prevention, detection and reporting or suspected misconduct and dishonesty.

Signature: _____

Print Name: _____

Date signed: _____