

<b>Subject:</b> Non-Retaliation/Non-Retribution	<b>Policy Number:</b> PROV-HR-419	
<b>Department:</b> Human Resources	<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised <input type="checkbox"/> Reviewed	<b>Date:</b> 9/14/2010
<b>Executive Sponsor:</b> President / CEO	<b>Policy Owner:</b> VP-Human Resources / Director System Integrity	
<b>Approved by:</b> John Koster, MD - President/CEO	<b>Implementation Date:</b> 4/5/1993	

**Scope:** All workforce member whether paid or unpaid by Providence Health & Services (“Providence”). This is a governance level policy approved by the Board of Directors and signed by the President/CEO.

**Purpose:** To establish a policy that protects workforce members from retaliation or harassment for having raised concerns about actual or potential wrongdoing or misconduct.

**Definitions:**

1. *Retaliation:* Any negative action, either individually or cumulatively, that adversely impacts a workforce member because of the workforce member’s good-faith report of concerns about misconduct or assistance in the investigation of such concerns. Retaliatory actions may include, but are in no way limited to, actions such as scheduling changes, physical relocation, adverse evaluations, paid administrative leave, and termination. Any disparate treatment of employees who report concerns of misconduct, or who assist in the investigation of such concerns, may be considered retaliation. This includes concerns reported about discrimination, patient care/treatment, any alleged illegal practice, or violation of Providence Integrity and Compliance Program. This also includes actions taken against employees who are presumed, but not known with certainty, to have reported a concern. Retaliation is prohibited by law.
2. *Workforce member* is defined as all employees, volunteers, trainees, independent contractors and other persons under direct control of a Providence entity, whether or not they are paid by Providence.
3. *Integrity and Compliance Program* is fully described in the Board approved Providence Integrity and Compliance Program Description and includes the Providence Code of Conduct and a variety of integrity and compliance policies.

**Policy:** Workforce members have a responsibility to promptly report concerns about actual or potential wrongdoing – including violations of Providence’s Integrity and Compliance Program– through proper channels and are not permitted to overlook such actual or potential wrong-doing.

Providence prohibits retaliation against any workforce member for making a good-faith report of their concerns about actual or potential wrong-doing – including violations of Providence’s Integrity and Compliance Program. Retaliation is also prohibited against any workforce member who in good faith assists in the investigation of any reported concern. Any manager, supervisor, employee, or other workforce member who engages in retaliation or harassment is subject to discipline of other appropriate corrective action.

**Requirements:**

1. The responsibility to report and this policy of non-retaliation is communicated to workforce members by managers and through the Providence’s Integrity and Compliance Program.
2. Workforce members cannot exempt themselves from the consequences of wrong-doing or inadequate performance by reporting such wrong-doing or inadequate performance. However, the consequences of wrong-doing or inadequate performance may not, in any case, be more severe because a workforce member reported it on his or her own initiative.
3. Any concerns regarding potential retaliation should be reported to the Regional Integrity and Compliance Officer, System Integrity or Human Resources, for investigation and resolution.

**References:**

Guidance from the Office of the Inspector General (OIG): At a minimum, comprehensive compliance programs should include the following: ...The adoption of procedures to protect the anonymity of complainants and to protect whistleblowers from retaliation. 63 FR 35, p. 8989

Deficit Reduction Act: Public Law 109-71

False Claims Act: 31 U.S.C. §§ 3729-3733

[PROV-ICP-717, Early Reporting of Significant Compliance, Risk, and Regulatory Issues](#)

[PROV-ICP-711, Fraud and Abuse Prevention and Detection](#)