

ORDINANCE No. _____, SERIES 2017

AN ORDINANCE AMENDING THE ANONYMOUS TIP LINE TO EXPANDED PROTECTION FOR LOUISVILLE METRO COUNCIL EMPLOYEES. (AMENDED BY SUBSTITUTION)

SPONSORED BY: COUNCILWOMEN LEET AND GREEN

WHEREAS, Metro Council amends the anonymous tip line to allow Metro Council employees the option to request an investigation if the employee believes he or she has experienced harassment at work.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "COUNCIL") AS FOLLOWS:

Section I: LMCO § 39.140 is hereby amended as follow:

§ 39.140 ESTABLISHMENT.

(A) The Council hereby establishes a third party operated anonymous tip lines (the "tip line") that will offer the Metro Government employees and citizens of this community a resource to report privately their concerns of alleged unethical or illegal actions and/or behavior by another employee or official serving Louisville Metro in writing, by telephone, or through electronic means such as web or email.

(B) Complaints received will be forwarded, for investigation, in the following manner: ~~to the Louisville Department of Internal Audit and any that are believed to be of merit by the tip line operator shall be forwarded to, but not limited to, one or more of the following Metro Government departments for proper investigation: Metro Ethics Commission, Metro Human Resources, the Metro Human Relations Commission or the Louisville Metro Police Department.~~

1. Complaints of harassment regarding any Metro Council Member or filed by any employee of Metro Council shall be forwarded to a Third Party Investigator for review and investigation. Section 30 of Metro Council's Policies and Procedures defines harassment and employees of Metro Council. Within forty-eight (48) hours of receiving the report, the tip line shall forward the report to both the Third Party Investigator and the Complainant's supervisor.
2. Complaints from any other Metro Employee will be sent to the Louisville Department of Internal Audit. If the tip line operator believes the complaint has merit, he or she shall forward the complaint to one or more of the following Metro Government departments for proper investigation: Metro Ethics Commission, Metro Human Resources, the Metro Human Relations Commission or the Louisville Metro Police Department.

(C) The tip line will be available 24 hours a day, seven days a week and shall provide a toll free telephone number.

(D) A monthly statistical summary of activity and results of investigations generated by the tip line, which is not descriptive of any readily identifiable person, shall be given to each department listed within this section along with members of the Louisville Metro Council and Office of the Louisville Metro Mayor and shall be available for public inspection. The monthly statistical summary shall list information including, but not limited to the date of the original report, an identification of the report by number, the type of issue identified or alleged, the department in which the issue is alleged to have occurred, and any resolution of the report. The monthly statistical report shall list all

pending or unresolved complaints and shall be in a form substantially similar to that provided as attachments 1, 2, and 3 attached to Ordinance No. 66-2009.

(E) Funding for this section shall be made available through the Office of the Louisville Metro Internal Auditor. The Louisville Metro Internal Auditor will administer the contract with the tip line service provider.

(F) The Louisville Metro Internal Auditor will administer the contract with a Third Party Investigator who will investigate all complaints from or regarding any Metro Council Members or employees of Metro Council pursuant to Section 30 of Metro Council's Policies and Procedures. Prior to execution of the contract, the proposed Third Party Investigator shall be presented to Metro Council for approval.

(G) ~~(F)~~ Within 45 days of the effective date of this section, the Louisville Metro Internal Auditor shall draft and submit to the Metro Council its policies, rules, and regulations for the administration of this section including, but not limited to, any contracts required for administration of the section, reports to be made and records to be maintained. If the Metro Council does not approve, amend, or reject by resolution the Louisville Metro Internal Auditor's policies, rules, and regulations and any related contracts, within 45 days after submission to the Council, such policies, rules and regulations shall go into effect the 46th day after submission.

(H) ~~(G)~~ The tip line operator is to advise Metro Employees who call alleging retaliation by a supervisor that the Metro Employee may file a complaint with the Louisville/Jefferson County Ethics Commission or pursue legal action in accordance with KRS 61.101 *et seq.*

Section 2: This Ordinance shall take effect upon its passage and approval.

H. Stephen Ott
Metro Council Clerk

David Yates
President of the Council

Greg Fischer
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____

Tip Line Amendment for Anti-Harassment Procedure rev 7-14-17.docx