

<b>Applicability:</b> All Employee Classes	<b>Effective Date:</b> August 1, 2005	<b>Approved By</b> Signature on file Anthony J. Catanese, President	<b>Page:</b> 1 of 1
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**POLICY**

Florida Institute of Technology is committed to the highest standards of moral and ethical behavior by all employees and in all business dealings. Employees are expected to conduct university business in an ethical manner and in compliance with all appropriate laws and regulations. Further, employees have a responsibility to report suspected dishonest acts and/or fraudulent activity to appropriate university officials.

Employees acting in good faith to report suspected dishonest acts and/or fraudulent activity are protected against retaliation for making such report; however, claims made in other than good faith under this policy subject the employee to disciplinary action.

All employees are covered by this policy.

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**A. DEFINITIONS**

For purposes of this policy, the definition of a dishonest act or fraudulent activity includes but is not limited to:

1. An intentional or deliberate act to deprive Florida Tech or a person of something of value, or to gain an unfair benefit using deception, false suggestions, suppression of truth, or other unfair means which are believed and relied upon.
2. A dishonest act or fraudulent activity may be, but is not limited to, an act or activity that is unethical, improper, or illegal such as:
  - a. Embezzlement;
  - b. Misappropriation, misapplication, destruction, removal, or concealment of property;
  - c. Alteration or falsification of paper or electronic documents, including the inappropriate destruction of paper or electronic documents;
  - d. False claims and/or misrepresentation of facts;
  - e. Theft of an asset including but not limited to money, tangible property, trade secrets or intellectual property;
  - f. Inappropriate use of computer systems including hacking and software piracy;
  - g. Bribery, kickbacks, or rebates;
  - h. Conflict of interest;
  - i. Plagiarism.
3. Although a dishonest or fraudulent act may have criminal and/or civil law consequences, Florida Tech is not required to use a determination by a criminal or civil authority as the basis for determining whether an act is dishonest or fraudulent, nor must the act rise to the level of a crime or violation of civil law in order to constitute a violation of this policy.

**B. PROCEDURES**

1. If an employee has knowledge of illegal or dishonest fraudulent activity, the employee is to contact his/her immediate supervisor, department head, dean, vice president, provost, or the Director of Human Resources. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to disciplinary action up to and including discharge.
2. Either the Chief of Security or the Director of Industrial Security will be delegated the primary responsibility for investigating reported incidents. All Florida Tech employees are expected to provide full cooperation to ensure a timely and thorough review or investigation of allegations.
3. To the extent possible under state and federal law, source information will be kept confidential.
4. In those instances where the investigation indicates possible criminal activity, the investigation will be turned over to the appropriate law enforcement agency.
5. Employees suspected of participating in dishonest acts or fraudulent activity may be suspended with pay during the course of the investigation.
6. Employees found to have participated in dishonest acts or fraudulent activity will be subject to disciplinary action up to and including discharge as well as possible criminal prosecution or civil action.
7. Employees found to have knowledge of a dishonest act or fraudulent activity and who knowingly failed to report the activity will be subject to disciplinary action.

8. Except as provided below, no disciplinary action shall be threatened, initiated or administered against a Florida Tech employee as a result of the employee's disclosure of information in response to a subpoena or other legal process. This shall not apply to:
  - a. An employee who discloses information that he or she knows to be false or who discloses information with disregard for the truth;
  - b. An employee who discloses information which is confidential under any provision of law; or
  - c. An employee who discloses information (except in response to legal process) without first having made a good faith effort to provide the information to his/her immediate supervisor, department head, dean, vice president, provost, or the Director of Human Resources.

9. The university will not retaliate against employees who act in good faith to report suspected dishonest and/or fraudulent activity. This includes protection from retaliation in the form of adverse employment action, poor work assignments, and/or threats of physical harm.

If an employee believes he/she has been the victim of retaliation for reporting suspected dishonest and/or fraudulent activity, a retaliation complaint may be filed in writing with the Director of Human Resources. A retaliation claim must be filed within 45 days of the employee's discovery of the action. If there is more than one instance of alleged retaliation, the complaint must be filed within 45 days of the employee's discovery of the most recent alleged action.

10. If the Director of Human Resources determines that retaliation has occurred, the Director of Human Resources will assure that appropriate remedial action is taken with respect to the employee against whom retaliation has occurred and that appropriate disciplinary action is taken against the employee(s) found to have retaliated.
11. An employee determined to have engaged in retaliatory action against another employee may appeal the determination to the Administrative Council of the university.