

First Reading: January 25, 2012

Bill No. 1227

Second Reading: January 25, 2012

Ordinance No. 1182

AN ORDINANCE TO AMEND THE EMPLOYEE MANUAL OF THE CITY OF COOL VALLEY, MISSOURI TO ADOPT A FRAUD POLICY FOR CITY EMPLOYEES.

BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE CITY OF COOL VALLEY, MISSOURI AS FOLLOWS:

Section One

The Employee Manual of the City of Cool Valley, Missouri is hereby amended by the addition of a new Section, initially to be designated as Section 33, entitled Fraud Policy & Procedures, to read as follows:

SECTION 33. FRAUD POLICY AND PROCEDURES

A. Purpose:

To affirm the City of Cool Valley's commitment to safeguard the organization and its assets from fraud and other similar improprieties.

B. Policy:

The City of Cool Valley has adopted a zero tolerance policy regarding fraud. A constructive culture requires integrity in the administration of the City's resources to ensure public trust. Fraud and any other similar improprieties are contrary to a constructive culture and will not be tolerated under any circumstances. Any evidence supporting fraud, theft or embezzlement of the City of Cool Valley's assets and/or equipment may be subject to actions including but not limited to: Suspension, termination, restitution and criminal charges.

Fraud is defined as an intentional deception, misappropriation of resources or the manipulation of data to gain financial or other benefits. Fraud and other similar improprieties include, but are not limited to:

- Forgery or alteration of checks, drafts, promissory notes or securities.
- Any misappropriation of funds, securities, supplies or any other asset.
- Any irregularity in the handling or reporting of money transactions.
- Misappropriation of furniture, fixtures or equipment.

- Unauthorized use or misuse of City property, equipment, materials or records.
- Any computer related activity including the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of City owned software or programs.
- Any claim for reimbursement of expenses that are not made for the exclusive benefit of the City.

C. Scope:

This policy applies to all employees of the City of Cool Valley, regular, and temporary including the Mayor, all Board Members, directors, supervisors/managers, and part-time employees of the City.

D. Confidentiality:

The City recognizes that confidentiality is important to all parties involved in a fraud investigation. Confidentiality will be maintained to the fullest extent provided by law.

E. Retaliation and False Claims Prohibited:

Retaliation Prohibited – The City will not tolerate retaliation against any employee or other person of initiating, pursuing, or assisting with a complaint of alleged fraud or other similar improprieties to the City or to any government agency.

The City also forbids retaliation against any employee or person for participating in any investigation of a complaint of fraud or similar improprieties. Any individual who engages in retaliation against another shall be in violation of this Policy and will be subject to disciplinary action, up to and including dismissal and or prosecution under the law.

F. Good Faith Required.

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates a violation of this policy. The act of making allegations that prove to be unsubstantiated and made maliciously, recklessly, or with foreknowledge that the allegations are false, is a serious disciplinary offense and may result in disciplinary action up to and including dismissal from service.

G. Procedure on Fraud Prevention

1. Reporting Procedures:

Any City employee who has knowledge, direct or indirect, of fraudulent activity, shall report such information to one or more of the following:

- a. The Mayor
- b. Executive Assistant to the Mayor
- c. Chief of Police

2. The Mayor of the City or his or her designee shall conduct an inquiry into any and all complaints of fraudulent activity. Where circumstances require, the City may retain outside assistance to conduct the inquiry and submit a report of the findings to the City. Based on the results of the inquiry, the City will determine whether the reported misconduct occurred, and whether it violates the Policy on Fraud Prevention. Should the City conclude that there has been a violation of the Policy on Fraud Prevention, appropriate corrective action will be taken.

H. Prevention:

Each department will maintain an internal environment to protect the department and the City from loss or other damages as a result of a fraudulent act.

I. Disciplinary and Corrective Actions:

Any employee found to be responsible for fraud or similar improprieties in violations of this Policy shall be subject to the appropriate disciplinary action, up to and including dismissal. In addition, employees who knowingly make false allegations or engage in prohibited retaliatory practices will be subject to discipline, up to and including dismissal. Restitution will be sought for all losses, including investigation and legal expenses, to the fullest extent of the law.

Section Two

This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

**PASSED BY THE BOARD OF ALDERMEN FOR THE CITY OF COOL VALLEY THIS 25th DAY
OF January, 2012.**

AYES:

NAYS:

ABSENT:

Viola J. Murphy
Presiding Officer

Attest:

Deborah Jones Daniels
Deborah Jones Daniels, City Clerk

APPROVED THIS 25th DAY OF January, 2012

Viola J. Murphy, Mayor
Viola J. Murphy, Mayor

Attest:

Deborah Jones Daniels
Deborah Jones Daniels, City Clerk