



CUYAHOGA COUNTY AGENCY OF INSPECTOR GENERAL

Whistleblower Protections – Rights and Responsibilities

The Cuyahoga County Ethics Ordinance (“Ethics Ordinance”) and the Ohio Revised Code (“Revised Code”) provide protections for individuals who report unethical behavior on the part of employees of Cuyahoga County (“County”) in the form of a whistleblower complaint. More specifically, the Ethics Ordinance and the Revised Code prohibit the County from retaliating against a County employee who has filed a whistleblower complaint. The following is a summary of the rights and responsibilities associated with these protections:

- County employees who are a member of a bargaining unit should consult their collective bargaining agreement with the County to determine whether it provides for final and binding arbitration of grievances. If the collective bargaining agreement provides for final and binding arbitration of grievances, the employee should file all whistleblower retaliation complaints in accordance with the grievance procedure outlined in the collective bargaining agreement (*Revised Code Section 4117.10*). If the collective bargaining agreement does not provide for final and binding arbitration of grievances, the employee should adhere to the whistleblower retaliation complaint guidelines for non-bargaining County employees (below).
- The “sole and exclusive remedy” for whistleblower retaliation for County employees who are not a member of a bargaining unit is to file a whistleblower appeal with the County Human Resource Commission (“HRC”) (*Ethics Ordinance Article VI, Section 7 and Article VII, Sections 17-20*). This right, though, is predicated upon the existence of all of the following conditions:
 - The original whistleblower complaint alleges a violation of state or federal statutes, rules, or regulations or the misuse of public resources;
 - The original whistleblower complaint is filed with the County Agency of Inspector General (“AIG”) either in writing or via the AIG Whistleblower Hotline;
 - The County employee’s appointing authority takes disciplinary or retaliatory action against the employee as a result of the employee having filed the whistleblower complaint with the AIG; and
 - The County employee files the appeal with the HRC within thirty (30) days after receiving actual notice of the appointing authority’s action (For more information regarding filing an appeal with the HRC, visit <http://bc.cuyahogacounty.us/en-US/Human-Resource-Commission.aspx>).

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