



CSU Bakersfield

Office of the President

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MEMORANDUM

DATE: June 25, 2018

TO: All Faculty and Staff

FROM: Claudia Catota *CC*
Assistant to the President for Equity, Inclusion and Compliance
Whistleblower Administrator

SUBJECT: Annual California Whistleblower Protection Act Notification

The California Whistleblower Protection Act ("CWPA") (Government Code §§ 8547 et seq.) authorizes the California State Auditor's office to accept complaints from state employees and members of the public regarding alleged improper governmental activities by state agencies, departments, and employees. Improper acts by a state agency or employee that should be reported to the State Auditor include: violations of state or federal law; noncompliance with an executive order, a Rule of Court, the State Administrative Manual, or the State Contracting Manual; misuse or waste of state resources; and gross negligence, incompetence or inefficiently. CWPA also protects reporting parties from retaliation.

In compliance with CWPA, attached you will find the employee notification from the California State Auditor with information on reporting improper activity.

If you have any questions or concerns, please contact me at (661) 654-2137 or ccatota@csub.edu.



WHISTLEBLOWER PROGRAM

YOU CAN REPORT IMPROPER ACTS

We are your confidential avenue for reporting improper activities by state agencies or employees. It is **your responsibility**, as a government employee, to report any type of fraud, waste, or abuse, which ultimately protects scarce state resources. It is also **your right** to be free from retaliation for doing so.

In 2017 alone, we received **2,147 allegations** of wrongdoing, most of which concerned misuse of state property, improper travel expenditures, and time and attendance abuse. Whistleblower complaints through our office have triggered investigations revealing **more than \$576 million in wasteful spending**, such as:

- Four psychiatrists at a state facility worked significantly fewer than 40 hours per week during a one-year period. The cost of their missed work hours totaled \$296,000.
- A state official received \$152,000 in improper travel expense reimbursements over a 37-month period.
- An administrator unwisely entered into two contracts that wasted \$652,919 in state-managed funds and did not comply with state contracting requirements.

WE INVESTIGATE COMPLAINTS

We report substantiated allegations to the head of the employing agency, the Legislature, and the Governor. In addition, we report some of the substantiated allegations to the general public, keeping confidential the identities of the state employees involved. You can view these reports on our website at:

www.auditor.ca.gov/reports/investigative

We refer substantiated violations of law to law enforcement agencies, as appropriate.

HOW TO REPORT

You have three ways to report information to us confidentially:

Call the Whistleblower Hotline at:
800-952-5665
916-322-2603 (Fax)

(Note: The hotline is staffed Monday through Friday, 8 a.m. to 5 p.m. However, callers may leave a brief recorded message during other hours.)

Mail information to:
Investigations
California State Auditor
P.O. Box 1019
Sacramento, CA 95812

Submit a complaint online to:
<http://www.auditor.ca.gov/hotline>



To view an informational webinar hosted by CalHR, visit:
<https://www.youtube.com/watch?v=9WFYLhJDOss>



FRAUD WASTE ABUSE

BE PART OF THE SOLUTION!

HELPFUL TIPS WHEN FILING A COMPLAINT

▶ WHAT TO REPORT

Pursuant to Government Code section 8547.2, subdivision (c), improper acts **by a state agency or employee** that should be reported to the State Auditor include:

- Violations of state or federal law, including theft, fraud, or conflict of interest;
- Noncompliance with an executive order, Rule of Court, the *State Administrative Manual*, or the *State Contracting Manual*;
- Misuse or waste of state resources, including property or employee time;
- Gross misconduct, incompetence, or inefficiency.

▶ WHAT WE CAN'T INVESTIGATE

We do not have the authority to investigate either violations of internal department policies or procedures or local government agencies and employees.

▶ WE PROTECT YOUR IDENTITY

If you report an impropriety, you are protected by the Whistleblower Protection Act, which:

- Requires us to protect your identity (except from law enforcement);
- Prohibits intimidation, threats, or coercion by state employees that could interfere with your right to disclose improper governmental activities.

If you believe that you have been retaliated against for disclosing an improper governmental activity, you should report this immediately to one of the following agencies:

State and Court Employees

State Personnel Board
801 Capitol Mall, MS53
Sacramento, CA 95814

California State University Employees

Vice Chancellor of Human Resources
401 Golden Shore
Long Beach, CA 90802

Or contact the appointed campus administrator.

University of California (UC) Employees

Contact the locally designated official for the UC facility at which you are employed. Visit www.ucop.edu for more information.

Prepare Before Filing

Gather your thoughts before filing a complaint and prepare yourself to answer the following questions:

- What is the improper activity?
- Who acted improperly?
- Where does that person work?
- How often and for how long has the activity been occurring?
- Why has it been allowed to continue?

Support What You Allege

We are unable to investigate allegations without support for your complaint. Therefore, please remember to include the following:

- Description of the evidence that proves what you are saying.
- Names and telephone numbers of knowledgeable witnesses.
- Copies of any documents you have in your possession that support your allegation. (Please do not submit original documents, as they cannot be returned.)

Consider Providing Contact Information

You have a right to file a complaint **anonymously**. However, we may not be able to investigate your complaint if we cannot talk to you to confirm the information you are providing or obtain additional information. Please remember that if you identify yourself to us, **we cannot reveal your identity to anyone else without your permission**, except to appropriate law enforcement personnel who are conducting a criminal investigation.

Keep Your Complaint Confidential

We investigate complaints as confidentially as possible to protect both your identity as a whistleblower and our ability to gather information without interference. To protect the confidentiality of your complaint, **we encourage you not to tell anyone that you filed a complaint with us.**

