

Whistleblower Act

Employees – Training and Reporting Requirements

CWU Policy 304-02

Effective: February 19, 2020

Policy Review Date: YEAR

Policy Executive: Senior Vice President – Finance and Administration

Responsible Office/Unit: Office of Policy and Ethics

Policy Statement:

Applicability:

Content:

Policy

Appendix A - Whistleblower Complaints

- (1) The Whistleblower Act ([RCW 42.40](#)) encourages employees of the state of Washington to report improper governmental actions and protects the rights of state employees making disclosures to the Office of the State Auditor or some other designated public official. <https://www.sao.wa.gov/report-a-concern/how-to-report-a-concern/whistleblower-program/>
- (2) Improper governmental action is defined as any action by an employee undertaken in the performance of the employee's official duties which:
 - A. Is a gross waste of public funds or resources,
 - B. Is in violation of federal or state law or rule, if the violation is not merely technical or of a minimum nature,
 - C. Is of substantial and specific danger to the public health or safety,
 - D. Is gross mismanagement,
 - E. Prevents dissemination of scientific opinion or alters technical findings,
 - F. [Violates the Washington State Administrative Procedure Act \(RCW 34.05\)](#).

- (3) Personnel actions (e.g., appointments, promotions, transfers, assignments, reassignments, demotions, etc.) are not considered improper governmental actions.
- (4) Public officials are those individuals who are designated to receive whistleblower reports. These officials include the attorney general's designee or designees; the university president; several specific individuals designated by the president; and the executive ethics board. The current list of designated public officials is available in the CWU 304-02(Appendix A).

History:

05/04/2011; Responsibility: VP of BFA; Authority: RCW 42.40; Cabinet/PAC; Reviewed/Endorsed by: Cabinet/PAC; Review/Effective Date: 06/06/2012; 12/11/18; 02/19/; 02/19/2020; Approved by: James L. Gaudino, President

*Reformatted and Assigned new Policy Number - Previous Policy CWUP 2-40-230, June 2025
Attached Procedure CWUR 3-20-010 as Appendix June 2025*

Appendix A - Whistleblower Complaints

(1) Definition of a Whistleblower:

- A. A whistleblower is an employee who reports, in good faith, alleged improper governmental action to a "public official."
- B. It also applies to any employee who is perceived to have made an allegation of improper governmental action (CWU 304-02). The Whistleblower Act ([RCW 42.40](#)) includes detailed timelines and provisions to protect a whistleblower. A whistleblower must clearly invoke that protection by clearly identifying, verbally or in writing, the complaint as a "State Whistleblower Report." Information is available at the State Auditor's Office website (<https://www.sao.wa.gov/report-a-concern/how-to-report-a-concern/whistleblower-program/>)

(2) Filing a report with the State of Washington:

- A. Reports of improper governmental action may be submitted anonymously to the Washington State Auditor's Office:

File a report using the [online form](#) at www.sao.wa.gov/report-a-concern/how-to-report-a-concern/whistleblower-program/.

Submit a [printed form](#) by email to whistleblower@sao.wa.gov

Printed forms can be sent by mail at:

Washington State Auditor's Office
ATTN: State Employee Whistleblower Program
P.O. Box 40031
Olympia, Washington 98504-0031
(360) 902-0370

(3) Filing a report with Central Washington University:

- A. CWU administrators who are designated to receive reports of improper governmental action that invoke the Whistleblower Act are:

Jesús Baldovinos, Internal Auditor
509-963-1191
Mailstop: 7481, Jesus.Baldovinos@cwu.edu
400 E. University Way
Ellensburg, WA 98926

A. James Wohlpart, President
509-963-2111
Mailstop: 7501, Jim.Wohlpart@cwu.edu

Patrick Pease, Provost/Executive Vice President for Academic Affairs
509-963-1400
Mailstop 7503, patrick.pease@cwu.edu

Joel Klucking, Senior Vice President for Finance and Administration
509-963-2956
Mailstop: 7481, joel.klucking@cwu.edu

Dania Cochran, Interim Chief of Staff
509-963-1384
Mailstop: 7501, dania.cochran@cwu.edu

Thomas Pedersen, CWU Ethics Advisor
509-963-2031
Mailstop: 7501, thomas.pedersen2@cwu.edu

- B. These individuals are obligated to confidentially maintain the identity of the whistleblower and to inform the Internal Auditor. The Internal Auditor will notify the Washington State Auditor's Office of whistleblower assertions within 15 calendar days after the complaint was received.
- C. Confidentiality will be provided to the whistleblower and to any person who in good faith provides information in an investigation. Individuals involved in the investigation of a report made by a whistleblower may consent to disclose their identity. It is the responsibility of all university employees to fully cooperate during an investigation of a report of improper governmental action. Employees will not destroy evidence and will provide any requested and/or relevant information and documentation during the investigation.
- D. Retaliation against a whistleblower or those who provide information during an investigation is prohibited by state law. Employees who feel they have been retaliated against may contact the Washington State Human Rights Commission at (toll free) 1-800-233-3247; TTY: 1-800-300-7525; or <https://www.hum.wa.gov/>.

(4) Annual Notification:

- A. CWU employees will be notified annually of the Whistleblower Act, including provisions and protections specific to CWU.

(5) Here are the steps you must take that are critical to whistleblower reports.

- A. Reporting University Employee:
 - 1. Communicates an allegation of improper governmental action to a university whistleblower public official verbally or in writing. If in writing, the employee making the complaint must clearly label the information as "State Whistleblower Report." OR
 - 2. Completes a hardcopy State Whistleblower Reporting Form and either, gives a copy to a University Public Official or sends the form in the U.S. Post Office mail or by email to the State Auditor's Office. Reporting University Employee should make a copy of the completed form for their records. OR
 - 3. Completes an electronic State Whistleblower Reporting Form on the State Auditor's Office web site and electronically submits the report. No further action is required by a University Public Official after this step.
 - 4. A state employee must report the asserted action within a year of occurrence.