

3.07 Ethics

Pursuant to Section 9.02 of the Charter, the Commission shall have authority to audit compliance with local, state and federal laws regarding ethics, including ethics resolutions or ordinances passed by County Council. Furthermore, in certain circumstances, the Commission has responsibility for hearing complaints of retaliation by County employees who have filed a written whistleblower retaliation complaint.

Whistleblower Retaliation Rights

If an appointing authority, supervisor, or the Department of Human Resources takes any retaliatory action against an employee as a result of the employee's having made a whistleblower complaint under Cuyahoga County Code § 406.02, the employee's sole and exclusive remedy is to file a written retaliation complaint with the Personnel Review Commission.

Any whistleblower complaint giving rise to an alleged retaliatory act must be filed in writing for an employee to exercise his or her appeal rights under this paragraph. A written whistleblower retaliation complaint may be submitted anonymously; provided, however, that the employee shall bear the burden of proving that the employee was the source of the anonymous complaint upon the filing of a whistleblower retaliation complaint.

If the employee files a written whistleblower retaliation complaint, the Personnel Review Commission shall immediately notify both the employee's appointing authority and the Agency of Inspector General and shall hear the retaliation complaint. The Personnel Review Commission shall determine if retaliation occurred and may issue any order as is appropriate including, but not limited to, rehiring, reinstatement with back pay, or any other remedy available under general law. Whistleblower retaliation complaints heard by the Personnel Review Commission are appealable to the Court of Common Pleas pursuant to Ohio Revised Code Chapter 2506.