

JO DAVIESS COUNTY, ILLINOIS
FRAUD, WASTE, AND ABUSE POLICY

PURPOSE: This policy is intended to encourage, enable, and protect Jo Daviess County employees who expose instances where they genuinely believe that public funds are being used in a manner which reflects gross mismanagement, substantial and specific danger to public health or safety, abuse of authority, or in violation of laws, rules, or regulations.

DEFINITIONS:

Fraud: entails the dishonest and deliberate course of action that results in the obtaining of money, property, or an advantage in which the recipient would not normally be entitled. The intentional deception perpetrated by an individual or individuals, or an organization or organizations, either internal or external to County government, which could result in a tangible or intangible benefit to themselves, others, or could cause detriment to others or the County. Fraud includes a false representation of a matter of fact, whether by words or by conduct, by false or misleading statements, or by concealment of that which should have been disclosed, and is intended to deceive.

Waste: entails the expenditure or allocation of resources significantly in excess of need. Waste does not necessarily involve an element of private use or of personal gain, but invariably signifies poor management. "Waste" means the intentional or unintentional, thoughtless or careless expenditure, consumption, mismanagement, use, or squandering of resources owned or operated by the County to the detriment or potential detriment of the County. Waste also includes incurring unnecessary costs because of inefficient or ineffective practices, systems, or controls. Waste does not normally lead to an allegation of "fraud".

Abuse: entails the exploitation of "loopholes" to the limits of County ordinances and laws, primarily for personal advantage. "Abuse" means the excessive, or improper use of something, or the use of something in a manner contrary to the natural or legal rules for its use; the intentional destruction, diversion, manipulation, misapplication, maltreatment, or misuse of resources owned or operated by the County; or extravagant or excessive use so as to abuse one's position or authority. "Abuse" does not necessarily lead to an allegation of "fraud". For example, an individual may abuse travel allowances by intentionally and unnecessarily scheduling meetings in another city on a Friday afternoon and on the following Monday morning in order to claim per diem over a weekend.

SCOPE: This policy applies to all individuals under the authority of the Jo Daviess County Board or Jo Daviess County Board of Health, including staff, whether full-time, part-time, or temporary employees, to all volunteers, to all who provide contract services, and to all officers and officials, each of whom shall be entitled to protection.

Elected officials and their employees shall abide by this policy, unless the elected official has indicated in writing their intent to do otherwise. In addition, for employees hired by elected office holders, they may be subject to other, further, or different provisions in keeping with the right of the elected officials to control their internal operations of his/her office. In all other cases, the policy shall govern.

P2018-11

POLICY: Jo Daviess County requires employees to observe the highest standards of business and personal ethics in conducting their duties on behalf of Jo Daviess County. Compliance with all applicable federal, state, and local laws, rules and regulations is required. All employees are expected to fulfill their duties honestly and with integrity.

An employee who has reasonable grounds to suspect a violation of fraud, waste, or abuse is expected to act in good faith and disclose that information. The following list provides examples of fraud, waste, and abuse activities, which should be reported:

- Computer fraud
- Theft of county funds, equipment, supplies, or any other county resources
- Payroll fraud
- Embezzlement
- Gross mismanagement or neglect of duty
- Conflicts of interest
- Bribery
- Improper handling or reporting of financial transactions
- Authorizing or receiving compensation for goods not received, services not performed, or hours not worked
- Willful violation of laws, regulations, or contractual obligations when conducting county business
- Insurance claim fraud
- Expense claim fraud
- Vendor fraud
- Identity theft
- Procurement fraud or bid rigging
- Submission of fraudulent certified transcripts of payroll to the county
- Wasteful, excessive, unnecessary, or inappropriate purchases or expenditures
- Fictitious suppliers or false invoicing
- Falsification of records
- Under or over billing
- Personal use or abuse of county property including vehicles, equipment, and supplies
- Misuse of one's position for personal gain
- Soliciting or accepting a bribe or kickback
- Management improprieties

Retaliation against an employee who in good faith filed a report of alleged fraud, waste, or abuse, or who participated in an investigation, is a violation of the Jo Daviess County Whistleblower Policy.

RESPONSIBILITIES: Employees are encouraged and expected to report suspected violations of federal, state, or local law, rules or regulations or suspected fraud, waste, or abuse.

P2018-11

PROCEDURES: Jo Daviess County has an open door policy and expects and encourages employees to address questions, concerns, and complaints with the Compliance Officer or Office of Inspector General hotline:

Compliance Officer
John Hay
330 North Bench Street
Galena, IL 61036
815-777-0109
Fax: 815-777-3203
jhay@jodaviess.org

Office of the Inspector General
888-814-4646

All complaints/reports of wrongful conduct or violations must be in writing and the complainant must identify themselves to the Compliance Officer.

The Compliance Officer shall promptly investigate each such complaint and prepare a written report of such investigation; all persons entitled to protection shall provide the Compliance Officer with credible information. All actions of the Compliance Officer in receiving and investigating the complaint, and additional information, shall endeavor to protect the confidentiality of all persons entitled to protection. The Compliance Officer shall keep detailed records of all reports submitted.

The employee shall not destroy, or allow to be destroyed, any document or record of any kind that employee knows may be relevant to a past, present, or future investigation of fraud, waste, or abuse.

All reported questions, concerns, or complaints involving accounting or auditing practices shall be made to the Compliance Officer who will immediately inform the Jo Daviess County Finance Committee. The Jo Daviess County Finance Committee shall investigate all complaints involving accounting and auditing matters.