THE PHILADELPHIA PARKING AUTHORITY
WHISTLEBLOWER POLICY

1. PURPOSE. This document establishes policy, responsibilities, and procedures for the immediate
and continuing notification of Philadelphia Parking Authority ("Authority") employees about the
protections and obligations under the Whistleblower Law, Act 1986-169 as amended by Act 2014-87,
43 P.S. §1421 et seq.

2. DEFINITIONS.

   Appropriate Authority. A Federal, State or local government body, agency or organization
   having jurisdiction over criminal law enforcement, regulatory violations, professional conduct or
   ethics, or waste; or a member, officer, agent, representative or supervisory employee of the Authority.
   The term includes, but is not limited to, the Office of Inspector General, the Office of Attorney
   General, the Department of the Auditor General, the Treasury Department, the General Assembly and
   committees of the General Assembly having the power and duty to investigate criminal law
   enforcement, regulatory violations, professional conduct or ethics, or waste.

   Good Faith Report. A report of conduct defined in the Whistleblower Law as "wrongdoing" or
   "waste" which is made without malice or consideration of personal benefit and which the person
   making the report has reasonable cause to believe is true. An Authority is not barred from taking
   disciplinary action against the employee who completed the report if the employee’s report was
   submitted in bad faith.

   Waste. Conduct or omission of the Authority or its officers, employees or agents which results
   in substantial abuse, misuse, destruction or loss of funds or resources belonging to or derived from
   Commonwealth or city sources.

   Whistleblower. A person who witnesses or has evidence of wrongdoing or waste while
   employed and who makes a good faith report of the wrongdoing or waste, verbally or in writing, to one
   of the person's superiors, to an agent of the Authority or to an appropriate authority.

   Wrongdoing. A violation which is not of a merely technical or minimal nature of a Federal or
   State statute or regulation, of a political subdivision ordinance or regulation or of a code of conduct or
   ethics designed to protect the interest of the public or the Authority.

known as the Whistleblower Law, provides legal protections to public employees who report, in good
faith, wrongdoing or waste to their employer or to an appropriate authority. The Whistleblower Law
stipulates that:

   (a) Employers may not discharge, threaten, or otherwise engage in employment discrimination
   against an employee because the employee:

   i. Reports, in good faith, an instance of wrongdoing or waste to the employer or to an appropriate
      authority.
ii. Is requested by an appropriate authority to participate in an investigation, hearing, inquiry, or court action.

(b) An appropriate authority to which a violation of the Whistleblower Law was reported may not disclose the identity of a whistleblower without the whistleblower’s consent, unless the disclosure is unavoidable in the investigation of the alleged violation.

(c) Within 180 days after an alleged violation of the Whistleblower Law, the affected employee may bring a civil action in court for injunctive relief and/or damages. The employee must show by a preponderance of evidence that, prior to the alleged reprisal, he or she had reported or was about to report an instance of wrongdoing or waste to the employer or to an appropriate law authority.

(d) In defending against charges, the employer must provide a preponderance of evidence proving that action against the employee occurred for separate and legitimate reasons.

(e) Remedies and penalties for violation of the law may include the following:

i. Reinstatement of an employee, payment of back wages, reinstatement of fringe benefits and seniority rights, actual damages, or a combination of these remedies. The court may also award the complainant attorney fees and costs of litigation.

ii. Against a person acting under the employer's authority, a civil fine of not more than $10,000 and/or suspension from the public service for not more than seven years.

4. RESPONSIBILITIES.

(a) The Human Resources Department shall:

i. Ensure that newly-hired employees sign and acknowledge receipt of this policy and Enclosure 1, which is the full text of the Whistleblower Law, as part of the completion of the hiring process.

ii. Post a copy of this policy and Enclosure 1, on employee bulletin boards or other appropriate locations.

iii. Include the Whistleblower Law into appropriate supervisory and management training programs.

iv. The Information and Technology Department shall post this policy and Enclosure 1 on the Authority website in a publicly available space.

5. REPORTING WASTE OR WRONGDOING.

(a) Reports of waste or wrongdoing as defined by the Whistleblower Law should be made as soon as possible to an appropriate authority. The Parking Authority has designated the Internal Auditor to receive these reports on its behalf. The Internal Auditor may be contacted at:

Walter Mingo, Internal Auditor
701 Market Street, Suite 5400
Walter Mingo, Internal Auditor
701 Market Street, Suite 5400
Philadelphia, PA 19106
Phone: 215-683-9792
Email: OIA@PhilaPark.org

(b) The Internal Auditor will promptly confirm receipt of a report filed pursuant to this directive with the filing party, unless made anonymously.

c) The Internal Auditor must initiate a prompt review of all reports made pursuant to this directive. Investigations of reports will be made with confidentiality in mind, to the extent possible. Because of the nature of some reports, the period before the conclusion of each review will vary, but should be advanced as expeditiously as practicable.

d) The Internal Auditor’s report following each review must be filed with the Executive Director and the Chair of the Board’s Audit Committee, unless one of those positions is compromised by the report and findings. In such cases the Internal Auditor shall file the report with the Chair of the Board or such other appropriate authority deemed proper by the Internal Auditor.

e) The Internal Auditor’s report will include a recommendation related to next steps, including the referral of the matter to an external appropriate authority.

THE PHILADELPHIA PARKING AUTHORITY

Certified:

Joseph T. Ashdale
Chairman

Alfred W. Taubenberger
Vice-Chairman/Secretary

Policy adopted: August 21, 2018

Pennsylvania’s Whistleblower Law is attached.