

1
2
3
4
5
6
7
8

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ATTACHMENT 1
Proposed Whistleblower Ordinance Amendments
Adopted by the Ethics Commission at its Regular Meeting on March 28, 2016

SAN FRANCISCO WHISTLEBLOWER PROTECTION ORDINANCE
CHAPTER 1:
REPORTING IMPROPER GOVERNMENT ACTIVITY; PROTECTION OF WHISTLEBLOWERS

- Sec. 4.100. Findings.
- Sec. 4.105. Complaints of Improper Government Activity; Investigation Procedures; Referral to Other Agencies.
- Sec. 4.107. Complaints by Citizens and Employees; Whistleblower Program.
- Sec. 4.110. Definitions.
- Sec. 4.115. Protection of Whistleblowers.
- Sec. 4.120. Confidentiality.
- Sec. 4.123. Confidentiality Protection for Whistleblower Program Complainants and Investigations.
- Sec. 4.125. Furnishing False or Misleading Information; Duty to Cooperate.
- Sec. 4.130. Reports to the Board of Supervisors.
- Sec. 4.135. Limitation of Liability.

SEC. 4.100. FINDINGS.

The City and County of San Francisco has a paramount interest in protecting the integrity of its government institutions. To further this interest, individuals should be encouraged to report to the City's Ethics Commission, Controller, District Attorney, City Attorney and the complainant's department possible violations of laws, regulations and rules governing the conduct of City officers and employees.

This Chapter protects all City officers, ~~and~~ employees, and contractors operating within the scope of a contract with the City and County of San Francisco, from retaliation (1) for filing a complaint with, or providing information to, the Ethics Commission, Controller, District Attorney, City Attorney, ~~or~~ (2) for filing a complaint with any supervisory employee at the complainant's department or at another City, County, state or federal agency.

This Chapter ensures that complaints that do not allege a violation of law over which the Ethics Commission or Controller has jurisdiction are directed to the appropriate agency for investigation and possible disciplinary or enforcement action.

Finally, this Chapter implements Charter Appendix Section F1.107. Section F1.107 directs the Controller, as City Services Auditor, to administer a whistleblower program and investigate reports of complaints concerning the misuse of City funds, improper activities by City officers and employees, deficiencies in the quality and delivery of government services, and wasteful and inefficient City government practices.

(Added by Ord. 71-00, File No. 000358, App. 4/28/2000; amended by Ord. 29-02, File No. 020017, App. 3/15/2002; Ord. 205-08, File No. 080019, 9/18/2008)

1 **SEC. 4.105. COMPLAINTS OF IMPROPER GOVERNMENT ACTIVITY; INVESTIGATION PROCEDURES;**
2 **REFERRAL TO OTHER AGENCIES.**

3
4 (a) COMPLAINTS. Any person may file a complaint with the Ethics Commission, Controller, District
5 Attorney or City Attorney, or with any supervisory employee at the complainant's department or at
6 another City, County, state or federal agency, alleging that a City officer, employee or contractor
7 operating pursuant to a contract with the City and County of San Francisco has engaged in improper
8 government activity. ~~alleging that a City officer or employee has engaged in improper government~~
9 activity by Improper government activity means violating local campaign finance, lobbying, conflicts of
10 interest or governmental ethics laws, regulations or rules; ~~violating the California Penal Code by~~
11 ~~misusing gross waste, fraud and abuse of~~ City resources; creating a specified and substantial danger to
12 public health or safety by failing to perform duties required by the officer or employee's City position; or
13 abusing his or her City position to advance a private interest.
14

15 (b) ETHICS COMMISSION COMPLAINT PROCEDURES. The Ethics Commission shall investigate
16 complaints filed under this Section that allege violations of local campaign finance lobbying, conflicts of
17 interest and governmental ethics laws pursuant to the procedures specified in Charter Section C3.699-
18 13 and the regulations adopted thereunder. Nothing in this subsection shall preclude the Ethics
19 Commission from referring any matter to any other City department, commission, board, officer or
20 employee or to other government agencies for investigation and possible disciplinary or enforcement
21 action. The Ethics Commission may require that any City department, commission, board, officer or
22 employee report to the Ethics Commission on the referred matter.
23

24 (c) REFERRAL. The Ethics Commission shall refer complaints that do not allege a violation of law,
25 regulation or rule that is within the Ethics Commission's jurisdiction to the appropriate agency for
26 investigation and possible disciplinary or enforcement action. The Commission may conduct preliminary
27 investigations into such complaints to determine whether the complaint contains sufficient information
28 to warrant referral. The Ethics Commission may require that any City department, commission, board,
29 officer or employee report to the Ethics Commission on the referred matter.

30 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000; amended by Ord. 29-02, File No. 020017, App.
31 3/15/2002)
32

33 **SEC. 4.107. COMPLAINTS BY CITIZENS AND EMPLOYEES; WHISTLEBLOWER PROGRAM.**

34 (a) WHISTLEBLOWER PROGRAM. The Controller shall administer and publicize a whistleblower and
35 citizen complaint program for citizens and employees to report the misuse of City funds, improper
36 activities by City officers and employees, deficiencies in the quality and delivery of government services,
37 and wasteful and inefficient City government practices. Subject to subsection (b), the Controller shall
38 investigate and otherwise attempt to resolve complaints reported to the Whistleblower Program. The
39 Controller shall administer a hotline telephone number and website and publicize the hotline and
40 website through press releases, public advertising and communications to City employees.

1 (b) REFERRAL OF CERTAIN COMPLAINTS. The Controller shall refer the following complaints as set
2 forth in this Section:

3 (i) Those which another City agency is required by federal, state, or local law to adjudicate: To that
4 agency;

5 (ii) Those which may be resolved through a grievance mechanism established by collective
6 bargaining agreement or contract: To the official or agency designated in the agreement or contract;

7 (iii) Those which involve allegations of conduct which may constitute a violation of criminal law: To
8 the District Attorney or other appropriate law enforcement agency;

9 (iv) Those which are subject to an existing, ongoing investigation by the District Attorney, City
10 Attorney, or Ethics Commission, where the applicable official or Commission states in writing that
11 investigation by the Controller would substantially impede or delay his, her or its own investigation of
12 the matter: To the investigating office; and

13 (v) Those which allege conduct that may constitute a violation of local campaign finance, lobbying,
14 conflicts of interest or governmental ethics laws, regulations or rules: to the Ethics Commission and the
15 City Attorney.

16 Where the conduct that is the subject of the complaint may violate criminal law and any civil or
17 administrative law, statute, ordinance or regulation, the Controller may take action on the noncriminal
18 aspects of the matter under this Section even if a referral has been made to another agency under this
19 Section.

20 If a complaint is referred under this Section, the Controller shall inform the complainant of the
21 appropriate procedure for the resolution of the complaint.
22

23 (c) TRACKING AND INVESTIGATION. The Controller shall receive, track and investigate complaints
24 made or referred to the Whistleblower Program. The investigation may include all steps that the
25 Controller deems appropriate, including the review of the complaint and any documentary or other
26 evidence provided with it, the gathering of any other relevant documents from any City department or
27 other source, and interviews of the complainant and other persons with relevant information.
28

29 (d) INFORMATION PROVIDED UNDER PENALTY OF PERJURY. In those instances in which the Controller
30 deems it appropriate, the Controller may require that persons making complaints or providing
31 information swear to the truth of their statements by taking an oath administered by the Controller, or
32 an agent of the Controller, or through written declarations made under penalty of perjury under the
33 laws of the State of California.
34

35 (e) REFERRAL AND RECOMMENDATION BY CONTROLLER. The Controller may refer the complaint to a
36 City department for investigation, either before conducting an initial investigation or after doing so, and
37 may recommend that a City department take specific action based on the Controller's initial
38 investigation. Within 60 days of receiving a complaint for investigation or a recommendation by the
39 Controller for specific action, or such other time as the Controller shall specify, the City department shall
40 report to the Controller in writing the results of the department's investigation and any action that the

1 department has taken in response to a recommendation by the Controller that the department take
2 specific action.

3
4 (f) REPORT BY DEPARTMENT AND FURTHER ACTION BY CONTROLLER. If the Controller has
5 recommended that a City department take disciplinary or other corrective action that the department
6 has declined to take, the department shall report to the Controller its reasons for failing to do so within
7 the timeframe that the Controller specifies for reporting on its investigation of the complaint. If the
8 Controller determines that the department's reasons are inadequate and that further investigation may
9 be appropriate, the Controller may refer the matter to the Mayor, City Attorney or District Attorney or
10 to any officer or agency that has jurisdiction over the matter.

11
12 (g) RESPONSIBILITY OF DEPARTMENTS. The department head shall be responsible for compliance by
13 his or her department with these duties. If department staff fail to comply with the duties to investigate
14 complaints referred by the Controller and to make the reports required by this Section, the Controller
15 shall notify the department head. If the department head fails to take action to obtain the department's
16 compliance with these duties, the Controller may refer the matter to the Mayor, City Attorney or District
17 Attorney or to any officer or agency that has jurisdiction over the matter.

18 (Added by Ord. 205-08, File No. 080019, 9/18/2008)

19 20 **SEC. 4.110. DEFINITIONS.**

21 For purposes of this Chapter, the following words and phrases shall have the following meanings:

22 (a) The term "City" means the City and County of San Francisco, its departments, commissions and
23 boards.

24 (b) The term "complainant's department" includes the complainant's supervisor, the executive
25 director or highest ranking officer in the complainant's department, and the board or commission
26 overseeing the complainant's department.

27 (c) The term "preliminary investigation" shall be limited to, but need not include: review of the
28 complaint and any documentary evidence provided with the complaint; interview of the complainant;
29 interview of the respondent, counsel to respondent and any witnesses who voluntarily agree to be
30 interviewed for this purpose; review of any relevant public documents and documents provided
31 voluntarily to the Commission.

32 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000; amended by Ord. 29-02, File No. 020017, App.
33 3/15/2002)

34 35 **SEC. 4.115. PROTECTION OF WHISTLEBLOWERS.**

36 (a) RETALIATION PROHIBITED. No City officer or employee may terminate, demote, suspend or take
37 other similar adverse employment action against any City officer, ~~or~~ employee, or contractor operating
38 within the scope of a contract with the City and County of San Francisco because the officer, ~~or~~
39 employee, or contractor has in good faith (i) filed a complaint with the Ethics Commission, Controller,
40 District Attorney or City Attorney, or ~~a written complaint~~ with any supervisory employee at the

1 complainant's department or at another City, County, state or federal agency, alleging that a City officer
2 or employee engaged in improper government activity by or contractor operating pursuant to a contract
3 with the City and County of San Francisco, by: violating local campaign finance, lobbying, conflicts of
4 interest or governmental ethics laws, regulations or rules; ~~violating the California Penal Code by~~
5 ~~misusing gross waste, fraud or abuse of~~ City resources; creating a specified and substantial danger to
6 public health or safety by failing to perform duties required by the officer or employee's City position; or
7 abusing his or her City position to advance a private interest, (ii) filed a complaint with the Controller's
8 Whistleblower Program, or (iii) provided any information or otherwise cooperated with any
9 investigation conducted under this Chapter.

10
11 (b) COMPLAINTS OF RETALIATION FOR HAVING FILED A COMPLAINT ALLEGING IMPROPER
12 GOVERNMENT ACTIVITY.

13 (i) **Administrative Complaints.** Any city officer or employee, or former city officer or employee, who
14 believes he or she has been the subject of retaliation in violation of Subsection (a) of this Section may
15 file a complaint with the Ethics Commission. The complaint must be filed no later than two years
16 after the date of the alleged retaliation.

17 The Ethics Commission shall investigate complaints of violations of Subsection (a) of this Section
18 pursuant to the procedures specified in San Francisco Charter Section C3.699-13 and the regulations
19 adopted thereunder. The Ethics Commission may decline to investigate complaints alleging violations
20 of Subsection (a) if it determines that the same or similar allegations are pending with or have been
21 finally resolved by another administrative or judicial body. Nothing in this Subsection shall preclude
22 the Ethics Commission from referring any matter to any other City department, commission, board,
23 officer or employee, or to other government agencies for investigation and possible disciplinary or
24 enforcement action. The Ethics Commission may refer matters to the Department of Human
25 Resources with a recommendation. The Ethics Commission may require that any City department,
26 commission, board, officer or employee report to the Ethics Commission on the referred matter.

27 A. Within [90] days of receiving a referral from the Ethics Commission under this Subsection
28 for investigation and possible disciplinary or enforcement action, or such other time as the
29 Ethics Commission shall specify, the City department shall report to the Ethics Commission in
30 writing the results of the department's investigation and any action that the department has
31 taken in response to the Ethics Commission's referral.

32
33
34 (ii) **Civil Complaints.** Any City officer or employee who believes he or she has been the subject of
35 retaliation in violation of Subsection (a) of this Section may bring a civil action against the City officer
36 or employee who committed the violation. Such action must be filed no later than two years after
37 the date of the retaliation.

38 (iii) **Burden of Establishing Retaliation.** In order to establish that retaliation occurred under this
39 Section, a complainant in a civil action must demonstrate, or the Ethics Commission in an
40 administrative proceeding must demonstrate determine, by a preponderance of the evidence that

1 the complainant's engagement in activity protected under Subsection (a) was a substantial
2 motivating factor for the adverse employment action. The employer may rebut this claim if it
3 demonstrates by a preponderance of the evidence that it would have taken the same employment
4 action irrespective of the complainant's participation in protected activity.

5
6 (c) PENALTIES **AND REMEDIES**.

7 (i) **Charter Penalties.** Any City officer or employee who violates Subsection (a) of this Section may
8 be subject to administrative penalties pursuant to Charter Section C3.699-13.

9 (ii) **Discipline by Appointing Authority.** Any City officer or employee who violates Subsection (a) of
10 this Section shall be subject to disciplinary action up to and including dismissal by his or her appointing
11 authority. If no disciplinary action is taken by the appointing authority, the Ethics Commission may refer
12 the matter to the Civil Service Commission for action pursuant to Charter Section A8.341.

13 (iv) **Civil Penalties.** Any City officer or employee who violates Subsection (a) of this Section may be
14 personally liable in a civil action authorized under Subsection (b)(ii) of this Section for a civil penalty not
15 to exceed ~~\$5,000~~ \$10,000 and increase annually with the rate of inflation.

16 (v) **Cancellation of Retaliatory Job Action.** Following an administrative hearing pursuant to Charter
17 Section C3.699-13 and making a finding of a violation of Subsection (a), the Ethics Commission may issue
18 an order calling for the cancellation of a retaliatory employment termination, demotion, suspension or
19 other similar adverse employment action taken against any City officer or employee who exercised his
20 or her right to protection under this Ordinance.

21 (d) RESERVATION OF AUTHORITY.

22 (i) **Civil Service Commission.** Nothing in this Section shall interfere with the powers granted to the
23 Civil Service Commission by the San Francisco Charter.

24 (ii) **Appointing Authority.** Nothing in this Section shall interfere with the power of an appointing
25 officer, manager, or supervisor to take action with respect to any City officer or employee, provided that
26 the appointing officer, manager, or supervisor reasonably believes that such action is justified on facts
27 separate and apart from the fact that the officer or employee filed a complaint with, or cooperated
28 with, an Ethics Commission investigation of such complaint; or filed a complaint with or provided
29 information to the Controller, District Attorney, City Attorney; or provided to any supervisory employee
30 at the complainant's department or at another city, County, state or federal agency, a complaint alleging
31 improper government activity by a that a City officer or employee engaged in improper government
32 activity by or contractor operating pursuant to a contract with the City and County of San Francisco.

33 (e) NOTICE OF WHISTLEBLOWER PROTECTIONS. The Controller shall prepare, and each City
34 department shall post a notice of whistleblower protections. The notice shall be posted in a location
35 that is conspicuous and accessible to all employees.

36 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000; amended by Ord. 29-02, File No. 020017, App.
37 3/15/2002; Ord. 205-08, File No. 080019, 9/18/2008)

38
39
40

1 **SEC. 4.120. CONFIDENTIALITY.**

2 (a) WHISTLEBLOWER IDENTITY. Any individual who files a complaint under Section 4.105 of this
3 Chapter may elect to have his or her identity kept confidential as provided by Charter Section C3.699-
4 13(a). Such election must be made at the time the complaint is filed.

5
6 (b) COMPLAINTS AND INVESTIGATIONS. The Ethics Commission shall treat as confidential complaints
7 made under Section 4.105 of this Chapter, and related information, including but not limited to
8 materials gathered and prepared in the course of investigation of such complaints, and deliberations
9 regarding such complaints, as provided by Charter Section C3.699-13(a).

10
11 (c) SANCTIONS FOR DISCLOSURE. Excepting circumstances described in Sec. 4.120(d)(i), any City
12 officer or employee who knowingly discloses the identity of any complainant who expressed the desire
13 to remain anonymous to the extent permitted by law may be subject to an administrative enforcement
14 action and administrative penalty authorized in Charter Section C3.699-13 for violating the
15 confidentiality protections of this ordinance or SFC&GC Code Sec. 3.228.

16 ~~(c)~~ (d) EXCEPTIONS.

17 (i) **Conduct of Investigations.** Nothing in this Section shall preclude the Ethics Commission from
18 disclosing the identity of an individual or other information to the extent necessary to conduct its
19 investigation.

20 (ii) **Referrals.** Nothing in this Section shall preclude the Ethics Commission from referring any matter
21 to any other City department, commission, board, officer or employee, or to other government agencies
22 for investigation and possible disciplinary or enforcement action.

23 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000)

24
25 **SEC. 4.123. CONFIDENTIALITY PROTECTION FOR WHISTLEBLOWER PROGRAM COMPLAINANTS AND**
26 **INVESTIGATIONS.**

27 (a) WHISTLEBLOWER IDENTITY AND INVESTIGATIONS. Every officer and employee of the City shall
28 keep confidential:

29 (i) The identity of any person who makes a complaint to the Whistleblower Program under
30 Section 4.107 of this Chapter, and any information that would lead to the disclosure of the person's
31 identity, unless the person who made the complaint provides written authorization for the disclosure.

32 (ii) Complaints or reports to the Whistleblower Program and information related to the
33 investigation of the matter, including drafts, notes, preliminary reports, working papers, records of
34 interviews, communications with complainants and witnesses, and any other materials and information
35 gathered or prepared in the course of the investigation.

36 The protection of confidentiality set forth in this Section applies irrespective of whether the
37 information was provided in writing and whether the information was provided or is maintained in
38 electronic, digital, paper or any other form or medium.

39

1 (b) INQUIRY REGARDING IDENTITY PROHIBITED. In order to assure effective implementation of the
2 provisions of this Section providing confidentiality to whistleblowers, City officers and employees may
3 not use any City resources, including work time, to ascertain or attempt to ascertain directly or indirectly
4 the identity of any person who has made a complaint to the Whistleblower Program, unless such person
5 has provided written authorization for the disclosure. Nothing in this Section shall preclude an officer or
6 employee assigned to investigate a complaint under this Chapter from ascertaining the identity of a
7 complainant to the extent necessary to conduct the investigation.
8

9 (c) EXCEPTIONS. Nothing in this Section shall preclude the Controller from (i) disclosing the identity of
10 a person or other information to the extent necessary to conduct a civil or criminal investigation or to
11 take any enforcement action, including any action to discipline an employee or take remedial action
12 against a contractor, or (ii) releasing information as part of a referral when referring any matter to
13 another City department, commission, board, officer or employee, or to other governmental agencies,
14 for investigation and possible disciplinary, enforcement or remedial action, or (iii) releasing information
15 to the Citizens Audit Review Board so that it may carry out its duty to provide advisory input to the
16 Controller on the Whistleblower Program, provided that information is prepared so as to protect the
17 confidentiality of persons making complaints and of investigations, or (iv) releasing information to
18 inform the public of the nature of the actions taken by the Controller in the operation of the
19 Whistleblower Program provided that information is prepared so as to protect the confidentiality of
20 persons making complaints and of investigations.

21 (Added by Ord. 205-08, File No. 080019, 9/18/2008)
22

23 **SEC. 4.125. FURNISHING FALSE OR MISLEADING INFORMATION; DUTY TO COOPERATE.**

24 (a) FURNISHING FALSE OR MISLEADING INFORMATION PROHIBITED. When making or filing a
25 complaint pursuant to this Chapter or participating in an investigation conducted by the Controller,
26 Ethics Commission, District Attorney, City Attorney or any other department or commission, or any of
27 their agents, as authorized under this Chapter, City officers and employees may not knowingly and
28 intentionally furnish false or fraudulent evidence, documents, or information, misrepresent any material
29 fact, or conceal any evidence, documents or information for the purpose of misleading any officer or
30 employee or any of their agents.

31 (b) COOPERATION REQUIRED. All City departments, commissions, boards, officers and employees
32 shall cooperate with and provide full and prompt assistance to the Controller, Ethics Commission,
33 District Attorney, City Attorney, and all other commissions and departments, and any of their agents, in
34 carrying out their duties under this Chapter.

35 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000; Ord. 205-08, File No. 080019, 9/18/2008)
36

37 **SEC. 4.130. REPORTS TO THE BOARD OF SUPERVISORS.**

38 The Ethics Commission shall provide an annual report to the Board of Supervisors which shall include
39 the following:

- 40 (1) The number of complaints received;

1 (2) The type of conduct complained about;

2 (3) The number of referrals to the Civil Service Commission, other City departments, or other
3 government agencies;

4 (4) The number of investigations the Ethics Commission conducted;

5 (5) Findings or recommendations on policies or practices resulting from the Ethics Commission's
6 investigations;

7 (6) The number of disciplinary actions taken by the City as a result of complaints made to the Ethics
8 Commission; and

9 (7) The number and amount of administrative penalties imposed by the Ethics Commission as a result
10 of complaints made to the Commission.

11 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000)

12
13 **SEC. 4.135. LIMITATION OF LIABILITY.**

14 In adopting and enforcing this Chapter, the City undertakes to promote the general welfare. The City is
15 not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is
16 liable in money damages.

17 (Added by Ord. 71-00, File No. 000358, App. 4/28/2000)

18
19 **F1.107. CITIZENS' COMPLAINTS; WHISTLEBLOWERS.**

20
21 (a) The Controller shall have the authority to receive individual complaints concerning the quality and
22 delivery of government services, wasteful and inefficient City government practices, misuse of City
23 government funds, and improper activities by City government officers and employees. When
24 appropriate, the Controller shall investigate and otherwise attempt to resolve such individual complaints
25 except for those which:

26 (1) another City agency is required by federal, state, or local law to adjudicate,

27 (2) may be resolved through a grievance mechanism established by collective bargaining agreement
28 or contract,

29 (3) involve allegations of conduct which may constitute a violation of criminal law, or

30 (4) are subject to an existing, ongoing investigation by the District Attorney, the City Attorney, or
31 the Ethics Commission, where either official or the Commission states in writing that investigation by
32 the Controller would substantially impede or delay his, her, or its own investigation of the matter.

33 If the Controller receives a complaint described in items (1), (2), (3), or (4) of this paragraph, the
34 Controller shall advise the complainant of the appropriate procedure for the resolution of such
35 complaint.

36 (b) If the Controller receives a complaint alleging conduct that may constitute a violation of criminal
37 law or a governmental ethics law, he or she shall promptly refer the complaint regarding criminal
38 conduct to the District Attorney or other appropriate law enforcement agency and shall refer complaints
39 regarding violations of governmental ethics laws to the Ethics Commission and the City Attorney.

1 Nothing in this Section shall preclude the Controller from investigating whether any alleged criminal
2 conduct also violates any civil or administrative law, statute, ordinance, or regulation.

3 (c) Notwithstanding any provision of this Charter, including, but not limited to Section C3.699-11, or
4 any ordinance or regulation of the City and County of San Francisco, the Controller shall administer a
5 whistleblower and citizen complaint hotline telephone number and website and publicize the hotline
6 and website through press releases, public advertising, and communications to City employees. The
7 Controller shall receive and track calls and emails related to complaints about the quality and delivery of
8 government services, wasteful and inefficient City government practices, misuse of government funds
9 and improper activities by City government officials, employees and contractors and shall route these
10 complaints to the appropriate agency subject to subsection (a) of this Section. The Board of Supervisors
11 shall enact and maintain an ordinance protecting the confidentiality of whistleblowers, and protecting
12 City officers and employees from retaliation for filing a complaint with, or providing information to, the
13 Controller, Ethics Commission, District Attorney, City Attorney or a City department or commission
14 about improper government activity by City officers and employees. The City may incorporate all
15 whistleblower functions set forth in this Charter or by ordinances into a unified City call center,
16 switchboard, or information number at a later time, provided the supervision of the whistleblower
17 function remains with the Controller and its responsibilities and function continue unabridged.

18 (Added November 2003)

19

20