

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

AMENDMENT TO CHAPTER 2 OF THE REVISED CODE OF ORDINANCES OF THE CITY OF HOLYOKE, MASSACHUSETTS 1997

AN ORDINANCE

Be it ordained by the City Council of the City of Holyoke as follows:

SECTION 1. Chapter 2 entitled "Administration", Article II entitled "Officers and Employees Generally", Division 1 entitled "Generally" of the Revised Code of Ordinances of the City of Holyoke, Massachusetts, 1997, as amended, is hereby further amended by:

Adding the following new section after Section 2-70:

2-71. – Ethics and Compliance Reporting

"(a) The purpose of this Section is to codify the requirement that the City of Holyoke create and maintain an Ethics and Compliance hotline for the City of Holyoke employees designed to enable its employees to easily and confidentially report any issue or instance of misconduct within all City of Holyoke Departments. All reports shall be held in strict confidence by any person taking in a report. Any breach of confidence shall be referred to the Hampden County District Attorney.

(b) The City of Holyoke, acting through its Personnel Director and City Auditor, shall work with an independent, third party, vendor to oversee the implementation of said Ethics and Compliance hotline. Said independent, third party, vendor shall provide a comprehensive platform of ethics and compliance communications, software, training and services and said services and communications shall be available in both English and Spanish languages.

(c) The Ethics and Compliance hotline shall be available for use by all residents and employees of the City of Holyoke. The City shall take reasonable steps to promote awareness of the hotline and its public availability; including but not limited to its website, posters, and any prominent locations in Holyoke-owned buildings.

(d) Upon receipt of a report from the independent, third party, vendor, the City, acting through its Personnel Department shall initiate an investigation into any claims of misconduct. Any misconduct alleged by a School Department employee shall be investigated by the Superintendent of Schools or his/her/their designee. The city shall reasonably ensure confidentiality of reporters and their protection from retaliation.

(e) The independent, third party, vendor shall produce an annual report every January of the messages, incidents, or complaints of the prior calendar year to provide a statistical analysis by City Department in compliance with the Massachusetts General Laws regarding confidentiality, anonymity, and the Freedom of Information Act. This annual report shall be published and provided to the City Council and the Mayor, as well as published on the City of Holyoke website for public review.

(f) The City Council may from time to time hold meetings with the hotline vendor and/or City of Holyoke officials to review data and overall improve the efficiency and effectiveness of the program. To the extent that said data would include sensitive employee information that would be covered under an exemption to MGL c. 30A, then said meeting shall be held in executive session. Otherwise, referred to the Public Service Committee of the Holyoke City Council.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its passage.

APPROVED AS TO FORM:



Jane L. Mantolesky
Assistant City Solicitor