

BENCO
24 Hour
POLICIES AND PROCEDURES

SUBJECT: PROHIBITION AGAINST RETALIATION

OAR: 411-323-0050 (3) a-b (A-D)

POLICY:

(3) Benco will not retaliate against any employee or subcontractor including relief employees that report in good faith suspected abuse or retaliate against the individual with respect to any report.

PROCEDURE:

- Prohibition against retaliation:
 - **a** An accused person will not self-report solely for the purpose of claiming retaliation.
 - If Benco retaliates against any person because of a report of suspected abuse or neglect, Benco will be liable according to ORS 430.755 in a private action to the reporting person for actual damages and, in addition, is subject to a penalty up to \$1000, notwithstanding any other remedy provided by law.
 - **b (A-D)** Any adverse action is evidence of retaliation if taken within 90 days of a report of abuse. For purposes of this section, “adverse action” means:
 - any action taken by Benco or a person involved in reporting against the individual because of the report. This includes, but is not limited to:
 - discharge or transfer from Benco, except for clinical reasons;
 - discharge from or termination of employment;
 - demotion or reduction in remuneration for program services;
 - restriction or prohibition of access to Benco or the individuals receiving services by Benco.

Approved By: Kristen Gregory
Kristen Gregory, Benco Board President

Date: 12-10-2019