
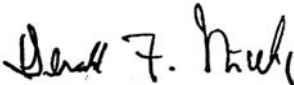


TD  DEPARTMENTAL POLICY State of Tennessee Department of Transportation	Policy Number : 140-01
	Effective Date: September 1, 2004
Approved By: 	Supersedes:
SUBJECT: Fraud Policy	

RESPONSIBLE OFFICE: Internal Audit

AUTHORITY: TCA 4-3-2303, 8-30-324, Rules of the Tennessee Department of Personnel 1120-10-.06 (18). If any portion of this policy conflicts with applicable state or federal laws or regulations, that portion shall be considered void. The remainder of this policy shall not be affected thereby and shall remain in full force and effect.

PURPOSE: To establish policy related to fraud investigations affecting the Department.

APPLICATION: All employees of the Tennessee Department of Transportation.

DEFINITIONS:

Fraud – An intentional deception for personal benefit. It is usually accomplished by means of deception and utilizing one’s position.

SCOPE: This policy applies to any suspected fraud involving Department employees, contractors, consultants, vendors, grantees, or other outside entities doing business with the Department.

POLICY: All TDOT related fraud investigations are to be coordinated through the Office of Internal Audit. Any allegation of fraud received from any source, whether employees or outside citizens, received via telephone, fax, e-mail, mail, or personal conversations or knowledge, is to be reported to the Office immediately upon receipt or acknowledgement. If you are unsure whether information, allegations, or accusations you receive are fraudulent, contact the Office and we will help you make this determination. *Do not contact informants or attempt to investigate these matters yourself as any attempts to conduct inquiries or investigations on your own may compromise the official investigation.*

Copies of any audit or investigation reports of any office or division the Department receives, other than from Internal Audit, are to be forwarded to the Office of Internal Audit upon receipt. This includes audits or investigations by regulatory authorities, other state or federal agencies, or others.

Investigation Responsibilities: The Office of Internal Audit has the primary departmental responsibility for investigation of all suspected fraudulent acts within or affecting the Department. If the investigation substantiates fraudulent activity has occurred, the Office will issue a report to the Commissioner upon completion of the investigation. Reports will also be released to the state Comptroller’s Office and law enforcement authorities as necessary.

Employee Responsibilities: It is an employee’s official job duty to cooperate fully with any investigation conducted by the Office of Internal Audit. *Failure to do so may result in discipline up to and including termination.* Rules of the Tennessee Department of Personnel 1120-10-.06(18), Examples of Disciplinary Offenses, states, “Refusal to accept a reasonable and proper assignment from an authorized supervisor (insubordination)”. In addition, TCA 8-30-324 states “If any employee in the state service shall willfully refuse to fail to appear before any ... body authorized to conduct any... inquiry, the person shall forfeit such position and shall not be eligible for appointment to any position in the state service.”

Management Responsibilities: Any disciplinary or management actions resulting from an investigation will be taken by Senior Management.

The Internal Audit Office has free and unrestricted access to all Department records and premises. The Office also has the authority to examine, copy, and/or remove all or any portion of the contents of Department owned offices, storage facilities, files, desks, work stations, trucks or other vehicles, computers, or any other item as determined by the Director of Internal Audit without prior knowledge or consent of any individual who might have use or custody of any such items or facilities when it is within the scope of the investigation. *There should be no expectation of privacy in relation to these or other Department owned assets.*

The Office treats all information received with appropriate discretion. Information concerning the status of an investigation will not be given to anyone except to whom the Commissioner so directs. Inquiries from the news media will be directed to the Public Information Officer. Investigation results should not be disclosed or discussed with anyone other than those who have a legitimate need to know in order to participate in taking official administrative action. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the Department.

**FRAUD POLICY
EMPLOYEE ACKNOWLEDGEMENT STATEMENT**

I, _____, an employee of the Tennessee Department of Transportation, hereby certify that I have received a copy of the Department of Transportation policy regarding fraud. I further certify that I have read the policy and understand that as a condition of employment, I must abide by the terms of the policy. I realize that violation of the policy can subject me to disciplinary action up to and including termination.

Employee Signature

Social Security Number

Date