

Lawrence Berkeley National Laboratory Investigations Workgroup Charter Revised: July 2019

Overview

Pursuant to the Lawrence Berkeley National Laboratory's Requirements and Policies Manual, Whistleblower Policy – Reporting and Investigating Allegations of Suspected Improper Governmental Activities, and the Whistleblower Protection Policy, the Laboratory Director appointed a Locally Designated Official (LDO) to receive and address whistleblower and whistleblower retaliation complaints as prescribed by both policies. The LDO has primary responsibility for the oversight and implementation of policy requirements, including triage/disposition through resolution of improper governmental activity allegations. Acting in an advisory role to the LDO, an Investigations Workgroup (IWg) has been established to ensure comprehensive intake, evaluation, coordination, investigation and resolution of complaints pertaining to alleged improper governmental activity.

Specifically, the purpose of the IWg is to ensure coordination and proper reporting of investigations. As requested by the LDO, the IWg shall assist the LDO in assessing the planned course of action related to allegations and investigations, including determining that an adequate basis exists for commencing an investigation. The purpose and authority of the IWg shall not be construed as to limit or halt investigations undertaken with proper authority granted by law or policy to any investigative authority. Nor is the IWg empowered to initiate investigations without an adequate basis. The IWg will provide guidance, advice and/or coordination for investigative activities, and facilitate communications among appropriate parties as requested by the LDO.

Membership of the IWg

Several functional areas within the Laboratory have responsibility for routinely conducting investigations of improper governmental activity allegations, such as the Institutional Assurance & Integrity Office, Internal Audit, Security, Legal, Research Integrity, and Human Resources. Other areas may become involved in investigations based on their areas of oversight or technical expertise, for example, Environmental Health and Safety, Conflicts of Interest, Human Subjects and Animal Welfare compliance specialists, etc. Representatives from the Laboratory Deputy Director for Operations/Chief Operating Officer Office, and the University of California National Laboratories, and Ethics, Compliance and Audit Services also are invited to participate in IWg meetings.

The LDO will designate the IWg members and will also chair the IWg. IWg membership will include representatives from each functional unit that has routine responsibility to investigate allegations of improper governmental activities. The standing members of the IWg will include:

- Laboratory Counsel (or a designee)
- Research Integrity Officer
- Chief Human Resources Officer



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- EEO/AA and Title IX Officer
- Internal Audit Department Head

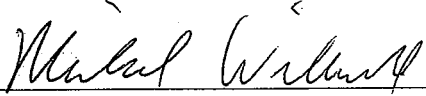
Responsibilities of the IWg

The Investigations Workgroup's specific responsibilities include:

1. Assisting the LDO in assuring that the proper investigative channels are utilized according to appropriate expertise and jurisdiction.
2. Assuring that all appropriate administrative and senior officials are apprised of the allegations as necessary.
3. Assuring appropriate reporting occurs to the Office of the President through a written communication to the Systemwide LDO, the DOI and the SVP-CCAO to funding and regulatory agencies, whistleblowers and others in accordance with the Whistleblower Policy.
4. Assisting the LDO to ensure appropriate resources and expertise are used to deliver timely and thorough investigations of allegations of suspected improper governmental activities.
5. Ensuring that there are no conflicts of interest on the part of any party involved in specific investigations.
6. Coordinating and facilitating communications across investigative channels as necessary to ensure comprehensive attention to all facets of the matter.
7. Assisting the LDO in monitoring significant elements and progress of investigations to ensure that allegations are timely and thoroughly addressed.
8. Coordinating and facilitating in an advisory capacity the corrective and remedial action that may be initiated in accordance with applicable employee conduct and disciplinary procedures.

IWg meetings will be held quarterly to ensure that proper, credible and timely investigations are conducted, adequate communication to various stakeholders are occurring and corrective/remedial actions are coordinated and being implemented as intended. IWg members are expected to be in attendance at each meeting or to send an appropriate designee. Although there is not a set quorum, the LDO may determine that there is insufficient IWg representation at a given meeting and postpone the meeting until a time when more members are available.

On an ad hoc basis, the LDO may convene the IWg to assist in the evaluation and disposition of new reports of alleged improper governmental activity as necessary.



Mike Witherell
LBNL Laboratory Director

8/9/19

Date