WHISTLEBLOWER POLICY

POLICY:
Each employee, officer, board member, volunteer, or contractor has a responsibility to report any activity by any employee, officer, board member, colleague, clinician, independent contractor, volunteer, student or intern that appears to be illegal, fraudulent, or in violation of any policy of The Arc of Monroe County or The Arc Foundation of Monroe (hereafter referred to collectively as “The Arc”). We encourage a culture in which all individuals feel free to report behaviors or actions which they believe should be reported. Every employee, officer, board member, volunteer and contractor has an obligation to refuse to participate in any wrongful course of action and to report any such actions observed, witnessed, or discovered according to the procedure listed below. Reports may be made anonymously or confidentially without fear of retaliation or retribution. The Arc has an open door policy. Concerns can be shared with any of the following: one’s direct supervisor, any agency director, any agency administrator or senior administrator, the CEO, the Vice President for Finance and Business Operations, the Chief HR Officer, the Chief Strategy Officer, or the compliance officer.

Federal regulations make it a crime to intimidate, discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee, officer, board member, volunteer, or contractor who in good faith has reported any observed or suspected non-compliant, illegal, or irregular activities or actions, or violations of any applicable laws, regulations, policies or procedures. “Good faith” means that the individual believes the potential violation actually occurred as s/he is reporting it. Disciplinary actions up to and including termination will result if any such retaliation or reprisal is proven.

The Arc will not impose any disciplinary or other action in retaliation against individuals who make a report or complaint in good faith regarding a practice that the individual believes may be illegal, fraudulent or in violation of any agency policy. The non-retaliation provisions of this policy do not permit employees to avoid the consequences of their own wrongdoing by reporting such wrongdoing. Disciplinary actions taken against an employee who reports his/her own wrongdoing will be a result of the wrongdoing itself, not the reporting of such wrongdoing and, therefore, are not to be considered retaliation or retribution.

If any person reporting a complaint or concern believes in good faith that s/he has been retaliated against for initiating a report or complaint or for participating in any investigation related to such report of complaint, that person should report the retaliation to his/her supervisor, director, a senior administrator, the Chief HR officer, the President/CEO, the Vice President for Finance and Business Operations, the Chief Strategy Officer, or the compliance officer as soon as possible. Board members should notify the board chair, the President/CEO of The Arc or the agency’s corporate compliance officer. The Arc will conduct a thorough and objective investigation of the incident(s).

Any employee who intentionally makes a false accusation with the purpose of harming or retaliating against a colleague will be subject to appropriate disciplinary action up to and including termination.
This policy will be administered by the agency’s corporate compliance officer.

PROCEDURE:
1. Any employee, board member, volunteer, vendor or contractor who believes that they or another party are the subject of retaliation in response to reporting activity believed to be illegal, fraudulent or in violation of any agency policy shall contact one of the following parties: his/her direct supervisor, agency contact (for vendors/contractors), the compliance officer, an agency director, an agency administrator, the President/CEO or any officer of the agency. Board members may also notify the chairperson of the board. This communication should occur immediately or as soon as is reasonably possible given the circumstances.
2. Such reports can be made anonymously or confidentially. Administration will take all necessary steps, to the extent possible within the law, to preserve the confidentiality of the whistleblower’s identity.
3. All reports of retaliation must be reported to the agency’s corporate compliance officer, who is responsible for the administration of this policy.
4. If reprisal, retaliation or retribution as described in this policy is determined to have occurred, management and administration shall implement appropriate disciplinary action, up to and including termination.
5. Employees, officers, volunteers, and contractors shall sign this policy within the first 30 days of hire.
6. Board members shall sign this policy within the first 30 days of board membership.

By signing below, I understand that I have reviewed this policy, understand the agency’s non-retaliation policy and my role with it, and have had any questions I had answered to my satisfaction.

_______________________________________________________
NAME PRINTED CLEARLY

_______________________________________________________          __________________
Signature                                                                              Date

V2. Effective Date: 7/1/14