

NEUAC Policy Manual

Section 8.12. WHISTLEBLOWER POLICY

Policy: The NEUAC has a responsibility for the stewardship of its resources and the public and private support that enables it to pursue its mission. The NEUAC is committed to compliance with all laws and regulations to which it is subject. Laws, regulations, policies and procedures strengthen and promote ethical practices and ethical treatment of those employed by, those served by, and those who conduct business with the NEUAC.

Reporting Responsibility

It is the responsibility of all officers, directors and employees to comply with all laws and regulations, to conduct themselves in an ethical manner and to promptly report any suspected misconduct, illegal activities, fraud, violations of policies, violations of employment or other laws or regulations, mismanagement, gross abuse of funds, abuse of authority, or a substantial and specific danger to public health or safety (collectively referred to as violations for the remainder of this document).

No Retaliation

This Whistleblower Policy is intended to encourage and enable officers, directors and employees to raise serious concerns within the NEUAC. Any officer, director or employee who makes a good-faith report of an alleged Violation shall not be subject to any harassment, retaliation or adverse employment action as a result of a good-faith report of an alleged violation, even if the report is investigated and proved to be unfounded.

Any officer, director or employee who retaliates against someone who has reported a violation in good faith is subject to discipline, up to and including termination of employment. If an employee believes he or she has been subjected to any discrimination or retaliation or other action by other NEUAC staff for reporting an alleged violation in accordance with this policy, he or she may file a complaint with the NEUAC Executive Director, or if the complaint involves the NEUAC Executive Director, with the NEUAC Board of Directors President.

Reporting Violations

A. Internal reporting - In most cases, an employee's supervisor is in the best position to address an area of concern. However, if an individual is not comfortable speaking to his or her supervisor, or if the employee is not satisfied with a supervisor's response to a reported violation, the employee is encouraged to speak to the NEUAC Executive Director.

In the event that the employee is not satisfied with the response of Executive Director, or if the complaint is against the NEUAC Executive Director, the individual may bring his or her concern or complaint directly to the NEUAC Board of Directors President. Reports may be made anonymously to the NEUAC Board of Directors President. The NEUAC Board of Directors President contact information is listed on NEUAC's web site. Any supervisor who receives a concern or complaint about an alleged violation must report that complaint or concern to the NEUAC Executive Director immediately (no later than within one working day). In the event the complaint is against the NEUAC Executive Director, the supervisor should report to the NEUAC Board of Directors President within the one-day time frame.

B. External reporting - It is the policy of NEUAC that all officers, directors and employees have the right to disclose information to an oversight authority of NEUAC, such as the Office of the Attorney General of the State of Missouri (in which state NEUAC is incorporated). No staff person shall receive any adverse employment action for disclosing any information to an oversight authority of NEUAC. Additionally, retaliation is prohibited against any person who provides a law enforcement officer any truthful information relating to the commission or possible commission of any federal offense.

Accounting and Auditing Matters

This policy applies to any fraud or suspected fraud involving officers, directors or employees, as well as members, vendors, consultants, contractors, funding sources and/or any other parties with a business relationship with the NEUAC. Fraud is defined as the intentional representation or concealment of a material fact for the purpose of inducing another to act upon it to his or her injury.

Any fraud that is detected or suspected must be reported immediately to the NEUAC Executive Director. Alternatively, if the detected or suspected fraud is attributed to the NEUAC Executive Director, a report may be made directly to the NEUAC Board of Director's President.

Investigation of Reported Violations

The NEUAC Executive Director has specific responsibility to investigate all reports of suspected violations, and at his or her discretion shall advise the NEUAC President of the Board of Directors. The NEUAC Executive Director has direct access to the Chairperson and is required to report at least annually on compliance activity. In the event a complaint is registered against the NEUAC Executive Director, the President must inform the NEUAC Executive Committee of the Board and must investigate the reported violation and follow the aforementioned procedures.

Confidentiality

Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation. The NEUAC Executive Director must inform the Board of any such investigation at the Board meeting immediately following the conclusion of the investigation. In the event a complaint is registered against the NEUAC Executive Director, the Chairperson must inform the NEUAC Executive Committee of the Board and must investigate the complaint. The President will inform the Board of the conclusion of the investigation at the next board meeting immediately following the conclusion of that investigation.

Any officer, director or employee who reports a suspected violation must not attempt to personally conduct investigations or interviews related to any suspected violation and must not discuss the case, facts or allegations with anyone unless specifically asked to do so by the NEUAC Executive Director or Board member conducting the investigation or NEUAC legal counsel.

In order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the NEUAC from potential civil liability, investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know.

Retention of Records

The NEUAC Executive Director will maintain a log of all reports, tracking their receipt, investigation and resolution. The NEUAC Board of Directors President shall have access to the log. Copies of the log and all documents obtained or created in connection with any investigation will be retained and the President of the Board shall keep a log of all incidents involving the NEUAC Executive Director and shall transfer that log to subsequent Board Presidents.

No staff member who in good faith reports unlawful activity, unlawful accounting and financial practices, and/or unlawful misuse of the NEUAC's resources to the appropriate NEUAC authorities shall suffer harassment, retaliation, or adverse employment consequence. Anyone who retaliates against an employee who has reported such a violation in good faith is subject to disciplinary action up to and including termination of employment. By the same token, any allegations made under this policy that are proven to have been made maliciously or were knowingly false will be viewed as a serious offense and may lead to disciplinary action up to and including termination of employment.

Any employee who believes unlawful activity outlined in this policy is occurring should immediately report in writing the matter to the NEUAC Executive Director. If you are not comfortable making a report to the NEUAC Executive Director, then you may report the matter in writing to the NEUAC Board of Directors President or any member of the NEUAC Board of

Directors. Violations or suspected violations may be reported on a confidential basis. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The NEUAC will thoroughly investigate any reports made in good faith and take steps to correct the activity. Wrongdoing will be reported to the appropriate authorities.