



ST. LAWRENCE NYSARC
Corporate Compliance Program
Section 12

REPORTING COMPLIANCE CONCERNS/WHISTLEBLOWER/ANTI-RETALIATION

I. **POLICY**- Strict adherence to St. Lawrence NYSARC's Corporate Compliance Plan and Code of Conduct is vital. St. Lawrence NYSARC requires all employees, directors, officers and volunteers to promptly report any known or suspected violations of the Corporate Compliance Plan, Code of Conduct policies and procedures or any of the laws, rules or regulations by which St. Lawrence NYSARC is governed. This Policy governs the procedure to be used by employees, directors, officers and volunteers to report compliance concerns and seeks to ensure that St. Lawrence NYSARC provides an environment that encourages individuals to report any suspected violations without fear of retaliation or retribution.

II. **SCOPE** - This Policy applies to all employees, directors, officers, and volunteers of St. Lawrence NYSARC. The policy must be distributed to all directors, officers, employees and volunteers who provide substantial services to St. Lawrence NYSARC.

III. **PROCEDURE**

A) Duty to Report

- Employees, directors, officers, and volunteers are required to report any known or suspected violations of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which St. Lawrence NYSARC is governed to their supervisor, manager, the Corporate Compliance Officer, or through St. Lawrence NYSARC's Compliance Helpline.

B) Reporting through St. Lawrence NYSARC's Compliance Helpline

- Employees, directors, officers, and volunteers may report their compliance concerns confidentially to the Compliance Helpline. The Compliance Helpline telephone number is 379-0340. Callers to the Compliance Helpline may make reports anonymously. No caller will be required to disclose his or her identity and no attempt will be made to trace the source of the call or identity of the caller when the caller requests anonymity.
- If a caller has revealed his or her identity, confidentiality will be maintained to the extent practicable and allowed by law. Callers should be aware, however, that it may not be possible to preserve anonymity if they identify themselves, provide other information which identifies them, the investigation reveals their identity or they inform people that they have called the Compliance Helpline. Callers should also be aware that St. Lawrence NYSARC is legally required to report certain types of crimes or potential crimes and infractions to external governmental agencies.
- The Compliance Helpline telephone number shall be visibly posted in a manner consistent with employee notification in locations frequented by St. Lawrence NYSARC employees, directors, officers and volunteers.

C) Confidentiality of Reports

- St. Lawrence NYSARC will attempt to treat all reports made under this policy confidentially and to protect the identity of the employee who has made a report to the maximum extent possible consistent with fair and rigorous enforcement of the Corporate Compliance Program and Code of Conduct.

D) Tracking/Investigations of Reports

- Any manager or supervisor who receives a report of a suspected violation shall complete a Complaint Intake Form. A copy of the completed Complaint Intake Form shall be immediately directed to the Corporate Compliance Officer. In addition, the Corporate Compliance Officer or his or her designee shall complete a Complaint Intake Form for all reports received through the Compliance Office or the Compliance Helpline or otherwise.
- Upon receipt of a Complaint Intake Form, the Corporate Compliance Officer shall inform the CEO/Executive Director and conduct an investigation in accordance with the compliance internal investigation policy.
- The Corporate Compliance Officer shall prepare a report to the Audit Committee*, the Corporate Compliance Committee and the full Board at least annually summarizing incidents reported investigatory findings and any corrective actions taken.

E) Non-Retaliation/Non-Retribution

- General Principles
 1. St. Lawrence NYSARC 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 violate the Corporate Compliance Plan, Code of Conduct, its Compliance Policies, or any of the laws, rules or regulations by which the Agency is governed.
 2. "Good faith" means the individual believes the potential violation actually occurred as he or she is reporting it.
 3. All employees, directors, officers and volunteers of St. Lawrence NYSARC are strictly prohibited from engaging in any act, conduct or behavior which results in, or is intended to result in, retaliation or retribution against any individual for reporting his or her concerns relating to a possible violation of the Corporate Compliance Plan, Code of Conduct, its Compliance Policies or any of the laws, rules or regulations by which the Agency is governed.

*Note that as per "Resolution Adopted by the Board of Governors of NYSARC, Inc. Implementing Necessary Changes Regarding Audit Requirements as a Result of the Non-Profit Revitalization Act," *Article VI, Section 10. Optional-if the Chapter's full board performs Audit Committee functions:* St. Lawrence NYSARC has elected to have the full Board perform the functions of the Audit Committee under the Non-Profit Revitalization Act. As such, the Board of Directors is responsible for all Audit Committee functions detailed in this Policy.

4. The non-retribution/non-retaliation provisions of this Policy do not permit employees, directors, officers or volunteers to avoid the consequences of their own wrongdoing by reporting such wrongdoing. Disciplinary actions taken against an employee, director or officer who reports his or 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. Self-reporting may, however, be taken into account in determining the appropriate disciplinary action to be taken.

F) Reporting Complaints

- If a St. Lawrence NYSARC employee, director, officer, or volunteer believes in good faith that he or she has been retaliated against for initiating a report or complaint or for participating in any investigation related to such report or complaint, then the employee, director, officer or volunteer should report the retaliation to his or her supervisor, manager, the Corporate Compliance Officer, the CEO/Executive Director as soon as possible. The report should provide a thorough account of the incident(s) and should include names, dates of specific events (if available), the names of any witnesses and the location or name of any document in support of the alleged retaliation.
 1. St. Lawrence NYSARC will conduct a thorough and objective investigation of the incident(s).
 2. Adverse actions in retaliation for an employee's report or complaint may result in discipline, up to and including termination.

G) Discipline

- Any disciplinary action for violation of the Corporate Compliance Plan, Code of Conduct, policies and procedures or any of the laws, rules or regulations by which St. Lawrence NYSARC is governed shall be imposed in accordance with St. Lawrence NYSARC Code of Conduct (Section 2, Attachment A).
- In the event an employee makes a frivolous, malicious or knowingly false report or complaint under this Policy, the employee will be subject to appropriate discipline, up to and including termination.

Board of Directors Approval Date: December 12, 2006

Effective Date: January 1, 2007

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