

The Kingsley Association is committed to facilitating open and honest communications relevant to its governance, finances, and compliance with all applicable laws and regulations. The Kingsley Association requires senior management, employees, and volunteers to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Employees and representatives of the organization must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

Application/Eligibility

All full-time, part-time, and temporary employees are subject to this policy.

Definitions

This Whistleblower Policy (“the Policy”) reflects the practices and principles of behavior that support this commitment. It is important that the Kingsley Association be apprised about unlawful or improper workplace behavior including, but not limited to, any of the following conduct:

- theft
- financial reporting which is fraudulent, intentionally misleading or negligent in any manner
- improper or undocumented financial transactions
- forgery or alteration of documents
- unauthorized alteration or manipulation of computer files
- improper destruction of records
- improper use of the Kingsley Association assets, including, but not limited to its funds, supplies, intellectual property and other assets
- improper access and or use of confidential donor information
- authorizing or receiving compensation for goods not received or services not performed
- violations of the Kingsley Association’s conflict-of-interest policy
- any other improper occurrence regarding cash, financial procedures, or reporting
- any abuse of or discrimination against an the Kingsley Association employee, client, vendor or person connected with the Kingsley Association and a failure by the Kingsley Association to provide reasonable accommodation for disability or religious belief.

The Kingsley Association requests the assistance of every senior manager, employee, and volunteer who has a reasonable belief or suspicion about any improper transaction. The Kingsley Association values this input and everyone should feel free to raise issues of concern, in good faith, without fear of retaliation. Senior management, employees, and volunteers will not be disciplined, demoted, lose their jobs, or be retaliated against for asking questions or voicing concerns about conduct of this sort. While the Kingsley Association has separate policies, which cover harassment and employment discrimination, this Whistleblower Policy applies to these situations to encourage the reporting of such wrongful actions against the Kingsley Association's interest. Employees and other interested people are encouraged to report any such improprieties without fear of retaliation or intimidation.

The Kingsley Association will investigate any possible fraudulent or dishonest use or misuse of the Kingsley Association's resources, or abuse, discrimination, or a failure to provide reasonable accommodation, by management, staff, or volunteers. The Kingsley Association will take appropriate action against anyone found to have engaged in fraudulent, dishonest, abusive, or discriminatory conduct, including disciplinary action by the Kingsley Association, or civil or criminal prosecution when warranted.

Therefore, all members of the Kingsley Association staff and volunteers are encouraged to report possible fraudulent, abusive, discriminatory, or dishonest conduct (*i.e.*, to act as a "whistleblower"), pursuant to the procedures set forth below.

Reporting Responsibility

Each employee and volunteer of the Kingsley Association has an obligation to report in accordance with this Whistleblower Policy (a) questionable or improper accounting, financial or auditing matters, and (b) violations and suspected violations of the Kingsley Association's policies or any unlawful or improper workplace conduct (hereinafter collectively referred to as "concerns").

Authority of Board of Directors

All reported Concerns will be forwarded to the Board of Directors in accordance with the procedures set forth herein. A committee appointed by the President of the Board of Directors shall be responsible for investigating, and making appropriate recommendations to the Board of Directors, with respect to all reported concerns.

No Retaliation

This Whistleblower Policy is intended to encourage and enable senior management, employees, contractors, and volunteers to raise concerns within the organization for investigation and appropriate action. With this goal in mind, all employees, or volunteers who, in good faith, report a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, a volunteer or employee who retaliates against someone who has reported a concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of employment.

Reporting Concerns

Employees and Volunteers

Employees and volunteers should first discuss their concern with the Executive Director or their designee and/or another member of the executive office. In addition, if the individual is uncomfortable speaking with the Executive Director or an executive office member, or the Executive Director, or executive office member is a subject of the concern, the individual should report his or her concern directly to the Chair of the Kingsley Association's Board of Directors. If the concern was reported orally to the Executive Director, the reporting individual, with assistance from the Executive Director, shall record the concern in writing. The Executive Director is required to report the concern to the Board of Directors within 48 hours, which has specific responsibility to investigate all concerns. If the Executive Director, for any reason, does not forward the concern to the Board of Directors, the reporting individual should directly report the concern to the Chair of the Board of Directors. Contact information for the Chair of the Board of Directors may be obtained through the Executive Director. Concerns may also be submitted anonymously. Such anonymous concerns should be in writing and sent directly to the Chair of the Board of Directors. A form is available on the Kingsley Association's website to report concerns directly to the Chair of the Board.

Senior Management

Senior Management should submit concerns in writing directly to the Board of Directors. Contact information for the Chair of the Board of Directors is available on the Kingsley website.

Handling of Reported Violations

The Chair of the Board of Directors shall address all reported concerns and shall immediately notify the Board of Directors and the Executive Director of any such report. The Chair of the Board of Directors will notify the reporter and acknowledge receipt of the concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted concerns.

All reports will be promptly investigated by a special committee appointed by the Chair of the Board of Directors and appropriate corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the reporter for resolution of the concern.

The special committee has the authority to retain outside legal counsel, accountants, private investigators, any other resource, or refer to another appropriate Committee of the Board of Directors, as deemed necessary to conduct a full and complete investigation of the allegations.

Acting in Good Faith

Anyone reporting a concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper accounting or auditing practice, or a violation of the Kingsley Association's policies. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination of employment. Such conduct may also give rise to other actions, including civil lawsuits.

Rights and Responsibilities of Employee

Whistleblower Protection:

The Kingsley Association will protect whistleblowers as follows:

- The Kingsley Association will use its best efforts to protect whistleblowers against retaliation. All complaints by whistleblowers will be handled with sensitivity, discretion and confidentiality to the extent allowed by the circumstances and the law. Generally, this practice means that whistleblower concerns will only be shared with those who have a need to know in order to conduct an effective investigation. (Should disciplinary or legal action be taken against a person or persons as a result of a whistleblower complaint, such persons may also have a right to know the identity of the whistleblower.)

- A whistleblower shall not be subject to retaliation. No punishment for reporting issues will be allowed, even if the claims are unfounded; a reasonable belief or suspicion that unlawful or improper workplace behavior has occurred is enough to create a protected status for the whistleblower. No action can be taken against the whistleblower with the intent or effect of adversely affecting the terms or conditions of the whistleblower's employment, including but not limited to threats of physical harm, loss of job, punitive work assignments, or impact on salary or wages.

Whistleblowers who believe that they have been retaliated against may file a written complaint with the President Chair of the Board of Directors. Any complaint of retaliation will be promptly investigated, and appropriate corrective measures taken if allegations of retaliation are substantiated. This protection from retaliation does not prohibit managers or supervisors from taking action, including disciplinary action, in the usual scope of their duties and based on valid performance-related factors.

- Whistleblowers must be cautious to avoid baseless allegations, which are allegations made with reckless disregard for their truth or falsity. People making such allegations may be subject to disciplinary action by the Kingsley Association and /or legal claims by individuals accused of such conduct.

Posting and Notification

This policy is to be posted in the Kingsley Association's offices, included in the Employee Handbook, and communicated to all new staff, volunteers and board members as part of their orientation. In addition, each year, after the annual election of the Board Chair, the Executive Director will have the responsibility of updating the contact information on the website. This policy shall also be available to volunteers or the Kingsley Association members upon request.

